This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

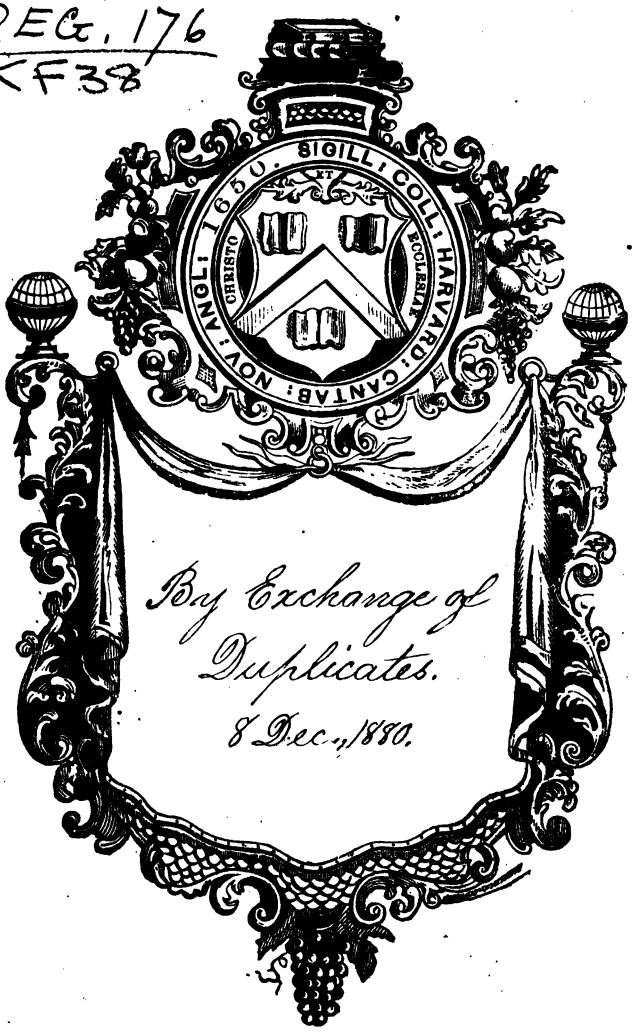
+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

REG. 176
KF38



By Exchange of
Duplicates.
8 Dec., 1880.

REG. 176
KF38

By Exchange of
Duplicates.
8 Dec., 1880.

621.8
3

REG. 176

DEC 8 1880

By exchg. of [illegible].

CITY OF NEWBURYPORT.

IN COMMON COUNCIL, Jan. 4th, 1869.

ORDERED, The Mayor and Aldermen concurring, that the Committee on Printing be instructed to prepare and cause to be published, a new Municipal Register, in accordance with the recommendation of the Mayor, the expense of the same to be charged to Incidentals.

IN COMMON COUNCIL, January 4th, 1869.

Adopted under a suspension of the rules.

Attest. A. W. GREENLEAF, CLERK.

IN BOARD OF ALDERMEN, January 4th, 1869.

Concur.

Attest E. JOHNSON, CITY CLERK.

CITY CHARTER.

Commonwealth of Massachusetts.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND FIFTY-ONE.

AN ACT

TO ESTABLISH THE CITY OF NEWBURYPORT.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

Newburyport to be a city.

SECT. 1. The inhabitants of the town of Newburyport shall continue to be a body politic and corporate, under the name of the City of Newburyport, and as such, shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations now incumbent upon, and appertaining to, said town, as a municipal corporation.

Administration to be vested in the mayor, aldermen, and common council.

SECT. 2. The administration of all the fiscal, prudential, and municipal affairs of said city, with the government thereof, shall be vested in one principal officer, to be styled the mayor; one council of six, to be called the board of aldermen; and one council of eighteen, to be called the common council; which

boards, in their joint capacity, shall be denominated the city council, and the members thereof shall be sworn to the faithful performance of their respective offices. A majority of each board shall constitute a quorum for doing business.

Selectmen to divide the town into wards.

SECT. 3. It shall be the duty of the Selectmen of Newburyport, as soon as may be, after the passage of this act, and its acceptance by the inhabitants, as hereinafter provided, to divide said town into six wards, to contain, as nearly as conveniently may be, an equal number of inhabitants, which proceedings of the selectmen shall be subject to the revision of the city council, within one year after the passage of this act. And it shall be the duty of the city council, once in five years, and not oftener, to revise, and if it be needful, to alter said wards, in such manner as to preserve, as nearly as may be, an equal number of inhabitants in each ward.

To be revised every five years by city council.

Election and duties of the warden and clerk.

SECT. 4. On the second Monday in December, annually, there shall be chosen by ballot, in each of said wards, a warden, clerk, and three inspectors of elections, residents of wards in which they are chosen, who shall hold their offices for one year, and until others shall have been chosen in their places, and qualified to act. It shall be the duty of such wardens to preside at all ward meetings, with the power of moderators of town meetings; and, if at any meeting, the warden shall not be present, the clerk of such wards shall call the meeting to order, and preside until a warden *pro tempore* shall be chosen by ballot; and, if at any meeting, the clerk shall not be present, a clerk *pro tempore* shall be chosen by ballot. The clerk shall record all the proceedings, and certify the

votes given, and deliver to his successor in office all such records and journals, together with all other documents and papers held by him in said capacity. And it shall be the duty of the inspectors of elections to assist the warden in receiving, assorting and counting the votes. And the warden, clerk and inspectors, so chosen, shall respectively make oath or affirmation, faithfully and impartially to discharge their several duties relative to all elections, which oath may be administered by the clerk of such ward to the warden, and by the warden to the clerk and inspectors; or by any justice of the peace for the county of Essex. All warrants for meetings of the citizens for municipal purposes, to be held either in wards or in general meetings, shall be issued by the mayor and aldermen, and shall be in such form, and shall be served, executed and returned, in such manner, and at such times, as the city council may, by any by-law, direct.

And inspectors of elections.

Warrants for ward and city meetings.

SECT. 5. The mayor and six aldermen, one alderman being selected from each ward, shall be elected by the qualified voters of the city at large, voting in their respective wards; and three common councilmen shall be elected from and by the voters of each ward, being residents in the ward where elected. All said officers shall be chosen by ballot, and shall hold their offices for one year from the first Monday in January, and until others shall be elected and qualified.

Election of mayor and city council, (amended, see additional act.)

SECT. 6. On the second Monday of December, annually, the qualified voters in each ward shall give in their votes for mayor, aldermen and common councilmen, as provided in the preceding section; and all the votes so given, shall be assorted, counted, declared and registered, in open ward meeting, by causing the

Proceedings of ward meetings.

names of the persons voted for, and the number of votes given for each, to be written in the ward records in words at length. The clerk of the ward, within twenty-four hours after such election, shall deliver to the persons elected members of the common council, certificates of their election, signed by the warden and clerk, and by a majority of the inspectors of elections, and shall deliver to the city clerk a copy of the records of such elections, certified in like manner; *provided, however,* that if the choice of the common councilmen shall not be effected on that day, the meeting may be adjourned, from time to time, to complete such election. The board of aldermen shall, as soon as conveniently may be, examine the copies of records of the several wards, certified as aforesaid, and shall cause the person who may have been elected mayor, to be notified, in writing, of his election; but if it shall appear that no person has received a majority of all the votes, or if the person elected shall refuse to accept the office, the board shall issue their warrants for a new election, and the same proceedings shall be had as are hereinbefore provided for the choice of a mayor, and repeated, from time to time, until a mayor shall be chosen.

Certificates of election.

To supply vacancy in the office of mayor.

In case of the decease, resignation or absence of the mayor, or his inability to perform the duties of his office, it shall be the duty of the board of aldermen and common council in convention, to elect a mayor to serve during the unexpired term, or until the occasion, causing the vacancy, is removed. And if it shall appear that the number of aldermen have not been elected, the same proceedings shall be had as are hereinbefore provided for the choice of mayor. Each

alderman shall be notified, in writing, of his election, by the mayor and aldermen for the time being.

Mayor's oath

The oath prescribed by this act shall be administered to the mayor by the city clerk, or any justice of the peace for the county of Essex.

Organization of city government.

The aldermen and common councilmen elect shall, on the first Monday in January, at 10 o'clock in the forenoon, meet in convention, when the oath required by this act shall be administered to the members of the two boards present, by the mayor, or by any justice of the peace for the county of Essex; and a certificate of such oath having been taken, shall be entered on a journal of the mayor and aldermen, and of the common council, by their respective clerks.

Notice to convention when no mayor is elected.

And whenever it shall appear that no mayor has been elected, previously to the said first Monday in January, the mayor and aldermen, for the time being, shall make a record of that fact, an attested copy of which the city clerk shall read at the opening of the convention to be held as aforesaid.

Organization of common council.

After the oath has been administered, as aforesaid, the two boards shall separate, and the common council shall be organized by the choice of a president and clerk, who shall be sworn to the faithful performance of their duties.

In absence of mayor at first meeting.

In case of the absence of the mayor elect, on the first Monday in January, the city government shall organize itself in the manner hereinbefore provided, and may proceed to business in the same manner as if the mayor were present, and the oath of office may be administered to the mayor at any time thereafter, in a convention of the two branches.

Mayor protem

In the absence of the mayor, the board of aldermen may choose a chairman *pro tempore*, who shall preside at joint meetings of the two boards.

Each board to judge of its own members, &c.

Each board shall keep a record of its own proceedings and judge of the election of its own members; and in case of failure of an election, or in case of any vacancy declared by either board, the mayor and aldermen shall order a new election.

Duties of mayor.

SECT. 7. The mayor thus chosen and qualified, shall be the chief executive officer of said city; it shall be his duty to be vigilant in causing the laws and regulations of the city to be enforced, and to exercise a general supervision over the conduct of all subordinate officers, and to cause their neglect of duty to be punished; he may call special meetings of the boards of aldermen and common council, or either of them, when necessary, in his opinion, by causing notices to be left at the places of residence of the several members; he shall communicate, from time to time, to both of them, such information and recommend such measures, as, in his opinion, the interests of the city may require; he shall preside in the board of aldermen, and in convention of the two boards, but shall have a casting vote only. And the mayor shall receive no compensation for his services.

Executive power in the mayor and aldermen.

SECT. 8. The executive power of said city generally, and the administration of the police, with all the powers heretofore vested in the selectmen of Newburyport, shall be vested in, and may be exercised by the mayor and aldermen as fully as if the same were herein specially enumerated.

Police Officers.

The mayor and aldermen shall have full and exclusive power to appoint a constable and assistants, with

the powers and duties of constables, and all other police officers, and the same to remove at pleasure. And the mayor and aldermen may require any person, who may be appointed marshal or constable of the city, to give bonds for the faithful discharge of the duties of the office, with such security and to such amount, as they may deem reasonable and proper; upon which bonds the like proceedings and remedies may be had, as are by law provided in the case of constables' bonds taken by the selectmen of towns.

To give bonds if required.

The mayor and aldermen shall perform the duty imposed upon the selectmen by the town of Newburyport, by the fifth section of an act to annex a part of the town of Newbury to Newburyport, enacted the 17th day of April, eighteen hundred and fifty-one, and shall be liable to the forfeiture therein prescribed, if they neglect so to do.

Mayor and aldermen to perform certain duties.

The custody, and visitation of all trust funds, now vested in the selectmen of Newburyport, shall be transferred to and vested in the mayor and aldermen.

All other powers now vested in the inhabitants of said town, and all powers granted by this act shall be vested in the mayor and aldermen and common council of said city, to be exercised by concurrent vote, each board to have a negative upon the other; but the city council shall, annually, as soon after their organization as may be convenient, elect, by joint ballot, in convention, a city treasurer, collector of taxes, three assessors and three assistant assessors, and a city clerk, and shall, in such manner as said city council may determine by any by-law made for the purpose, appoint or elect all subordinate officers not herein otherwise directed for the ensuing year, define their

Certain officers, how appointed.

duties, and fix their compensations, in cases where such duties and compensations shall not be defined and fixed by the laws of the commonwealth.

Sittings public.

All sittings of the mayor and aldermen, of the common council, and of the city council, shall be public, when they are not engaged in executive business.

Appropriations.

The city council shall take care that money shall not be paid from the treasury unless granted or appropriated; shall secure a just and prompt accountability, by requiring bonds, with sufficient penalty and sureties, from all persons entrusted with the receipt, custody, or disbursement of money; shall have the care and superintendence of city buildings, and the custody and management of all city property, with power to let or sell what may be legally let or sold; and to purchase property, real or personal, in the name and for the use of the city, whenever its interest or convenience may, in their judgment, require it.

Receipts and expenditures

And the city council shall, as often as once a year, cause to be published, for the use of the inhabitants, a particular account of receipts and expenditures, and a schedule of city property.

Mayor to nominate officers.

SECT. 9. In all cases in which appointments are directed to be made by the mayor and aldermen, the mayor shall have the exclusive power of nomination, being subject, however, to confirmation or rejection by the board of aldermen; and no person shall be eligible to any office of emolument, the salary of which is payable out of the city treasury, who, at the time of such appointment, shall be a member of the board of aldermen or of the common council.

Members of city council not eligible to offices of emolument.

Duties of City Clerk.

SECT. 10. The city clerk shall also be clerk of the board of aldermen, and shall be sworn to the faithful

performance of his duties. He shall perform such duties as shall be prescribed by the board of aldermen; and he shall perform all the duties and exercise all the powers by law incumbent upon, or vested in, the town clerk of the town of Newburyport.

Duties of City Clerk.

SECT. 11. The qualified voters of each ward, at their respective annual ward meetings, shall elect, by ballot, one person in each ward, who shall be a resident of the ward, to be an overseer of the poor; and the persons thus chosen shall constitute the board of overseers of the poor, and shall have all the powers, and be subject to all the duties, now by law appertaining to the overseers of the poor for the town of Newburyport.

Overseers of the Poor. Amended. (See additional act.)

And the qualified voters shall, at the same time and in like manner, elect two persons in each ward, who shall be residents of the ward, to be members of the school committee, and the persons so chosen shall constitute the school committee, and have the care and superintendence of the public schools.

School Committee. Amended (See additional act.)

The assessors, to be chosen as hereinbefore provided, shall constitute the board of assessors, and shall exercise the same powers, and be subject to the same duties and liabilities that the assessors in the several towns in the commonwealth may exercise, or be subject to, under existing laws, and shall be sworn, as shall also the assistant assessors, to the faithful performance of their duty.

Assessors' Duties.

All taxes shall be assessed, apportioned and collected, in the manner prescribed by the laws of the commonwealth; *provided, however*, that the city council may establish further or additional provisions for the collection thereof.

Council may make a further provision for collection of Taxes, &c.

Vacancies how filled.

In case it should be found inconvenient to complete the election, in any ward, of the overseers of the poor and the school committee, on the day of the annual ward meeting, said meeting shall be adjourned, from time to time, until the election shall be completed.

Fire Department.

SECT. 12. An act establishing the fire department in the town of Newburyport, passed March fifth, eighteen hundred and thirty, shall continue in force, and all the power and authority now vested in the selectmen of Newburyport, in relation to the fire department, in that town, shall be transferred to and vested in the mayor and aldermen.

List of Jurors, how prepared.

SECT. 13. The list of jurors shall be prepared by the mayor and aldermen, in the same manner as it is required in the ninety-fifth chapter of the Revised Statutes, to be done by the selectmen, within and for their respective towns; and the list, when made out by the mayor and aldermen, shall be submitted to the common council, for concurrent revision or amendment.

The mayor and aldermen, and the city clerk, shall severally have and exercise, all the powers and duties, with regard to the drawing of jurors, in the city, and all other matters relating to jurors therein, which are, in the ninety-fifth chapter of the Revised Statutes, required to be performed by the selectmen and town clerks, in their respective towns; and all venires for jurors to be returned from Newburyport, shall be served on said mayor and aldermen.

Streets and Town Ways.

SECT. 14. The mayor and aldermen, with the concurrent vote of the common council, shall have exclusive power to lay out, alter, or discontinue, any

street or town way, and to estimate the damages any individual may sustain thereby.

And any person dissatisfied with the decision of the city council, in the estimate of damages, may make complaint to the county commissioners of the county of Essex, at any meeting held within one year after such decision, whereupon the same proceedings shall be had as are by law provided in cases where persons are aggrieved by the assessment of damages by the selectmen, in the twenty-fourth chapter of the Revised Statutes.

Drains, &c.

SECT. 15. The mayor and aldermen, with the concurrent vote of the common council, shall have the power to cause drains and common sewers to be laid down through any streets or private lands, paying the owners such damage as they may sustain thereby, and to require all persons to pay a reasonable sum for the privilege of opening any drain into such public drain or common sewer.

Inspection of Lumber, &c.

And the city council may make by-laws, with suitable penalties, for the inspection, survey, measurement, and sale of lumber, wood, coal and bark, brought into the city for sale.

Health

SECT. 16. All power and authority now vested by law in the board of health for the town of Newburyport, or in the selectmen thereof, shall be transferred to and vested in the city council, to be by them exercised in such manner as they may deem expedient.

Representatives.

SECT. 17. The mayor and aldermen shall, in each year, issue their warrants for calling meetings for the election of the whole number of representatives to the General Court, to which said city is by law entitled, and the number shall be specified in the warrant.

Election of County, State, and United States Officers.

SECT. 18. All elections for County, State, and United States officers, who are voted for by the people, shall be held at meetings of the citizens qualified to vote in such elections, in their respective wards, at the time fixed by law for these elections respectively; and at such meetings, all the votes given for such officers respectively, shall be assorted, counted, declared and registered, in open ward meeting, by causing the names of all persons voted for, and the number of votes given for each, to be written in the ward records in words at length. The ward clerk shall forthwith deliver to the city clerk a certified copy of the record of such elections. The city clerk shall forthwith record such returns, and the mayor and aldermen shall, within two days after every such election, examine and compare all such returns, and make out a certificate of the result of such elections, to be signed by the mayor and a majority of the aldermen, and also by the city clerk, which shall be transmitted or delivered in the same manner as similar returns are by law directed to be made by selectmen of towns. And in all elections for representatives to the General Court, in case the whole number proposed to be elected shall not be chosen by a majority of the votes legally returned, the mayor and aldermen shall forthwith issue their warrant for a new election conformably to the provisions of the constitution and laws of the commonwealth.

Lists of Voters.

SECT. 19. Prior to every election, the mayor and aldermen shall make out lists of all the citizens of each ward, qualified to vote in such elections, in the manner in which selectmen of towns are required to make out lists of voters; and, for that purpose they

shall have full access to the assessors' books and lists, and be entitled to the assistance of all assessors and city officers; and they shall deliver said lists, so prepared and corrected, to the clerks of said wards, to be used at such elections; and no person shall be entitled to vote whose name is not borne on such lists.

General Meetings.

SECT. 20. General meetings of the citizens qualified to vote may, from time to time, be held, to consult upon the public good, to give instructions to their representatives, and to take all lawful measures to obtain redress for any grievances, according to the right secured to the people by the constitution of the commonwealth.

And such meeting may and shall be duly warned by the mayor and aldermen, upon the requisition of fifty qualified voters.

By-Laws.

SECT. 21. The city council shall have power to make all such salutary and needful by-laws, as towns, by the laws of this commonwealth, have power to make and establish, and to annex penalties, not exceeding twenty dollars, for the breach thereof; which by-laws shall take effect, and be in force, from and after the time therein respectively limited, without the sanction of any court or other authority whatever; *provided, however*, that all laws and regulations, now in force in the town of Newburyport, shall, until they expire by their own limitation, or be revised or repealed by the city council, remain in force; and all fines and forfeitures, for the breach of any by-law or ordinance, shall be paid into the city treasury.

Proviso.

Fines for breach of By-Laws.

SECT. 22. All fines, forfeitures and penalties accruing for the breach of any by-laws of the city of Newburyport, or of any ordinances of the city council, or

of any of the orders of the mayor and aldermen, may be prosecuted for and recovered before the police court of the said city of Newburyport, by complaint or information, in the same manner in which other criminal offences are now prosecuted before the police courts within this commonwealth; reserving, however, in all cases, to the party complained of and prosecuted, the right of appeal to the court of common pleas, then next to be held in the county of Essex, from the judgment and sentence of the police court.

And the appeal shall be allowed on the same terms, and the proceedings shall be conducted therein in the same manner, as provided in the one hundred and thirty-eighth chapter of the Revised Statutes of this commonwealth.

And it shall be sufficient, in all such prosecutions, to set forth, in the complaint, the offence fully, plainly, substantially and formally; and it shall not be necessary to set forth such by-law, ordinance, or order, or any part thereof.

All fines, forfeitures, and penalties, so recovered and paid, shall be paid to the treasurer of the city of Newburyport, and shall enure to such uses as said council shall direct.

When any person, upon any conviction before the police court for any breach of any by-law of said city of Newburyport, or any of the ordinances of the city council, or any of the orders of the mayor and aldermen, shall be sentenced to pay a fine, or ordered to pay any penalty or forfeiture provided by any such by-law, ordinance or order, or, upon claiming an appeal, shall fail to recognize for his appearance at the court appealed to, and there to prosecute his appeal,

and to abide the sentence or order of the court thereon, and, in the mean time, to keep the peace and be of good behavior; and, upon not paying the fine, penalty, or forfeiture, and cost so assessed upon him, he shall be committed to prison, there to remain until he or she shall pay such fine, forfeiture or penalty, and costs, or be otherwise discharged, according to law.

The provisions of this section shall also apply to all prosecutions founded on the by-laws and ordinances of the town of Newburyport, which may continue in force after this act shall go into operation, and all the powers of the police court, already established, shall be continued to it.

First Organization of the City Government.

SECT. 23. For the purpose of organizing the system of government, hereby established, and putting the same into operation, in the first instance, the selectmen of the town of Newburyport, for the time being, shall, within thirty days after the acceptance of this act, issue their warrants, seven days at least previous to the day so appointed, for calling meetings of the said citizens, at such place and hour as they may deem expedient, for the purpose of choosing a warden, clerk and inspectors for each ward, and all other officers whose election is provided for in the preceding sections of this act; and the transcripts of the records of each ward, specifying the votes given for the several officers aforesaid, certified by the warden and clerk of each ward at such first meeting, shall be returned to the said selectmen, whose duty it shall be to examine and compare the same; and, in case said elections should not be completed at the first meeting, then to issue new warrants, until such elections shall be completed, and to give notice there-

of, in the manner hereinbefore provided, to the several persons elected.

And at said first meeting, any inhabitant of said ward, being a legal voter, may call the citizens to order, and preside until a warden shall have been chosen. And, at said first meeting, a list of voters in each ward, prepared and corrected by the selectmen for the time being, shall be delivered to the clerk of each ward, when elected, to be used as hereinbefore provided. And the selectmen shall appoint such time for the first meeting of the city council as they may judge proper, after the choice of city officers, as aforesaid, or a majority of the members of both branches, in the year one thousand eight hundred and fifty-one, and shall also fix upon the place and hour of said first meeting, and a written notice thereof shall be sent, by said selectmen, to the place of abode of each of the city officers chosen as provided in this section.

And after this first election of city officers, and this first meeting for the organization of the city council, as in this section is provided, the day of holding the annual elections, and the day and hour for the meeting of the city council, for the purpose of organization, shall remain as provided in the sixth section of this act. And it shall be the duty of the city council, immediately after the first organization, to elect all necessary city officers, who shall hold their offices respectively until others are chosen and qualified.

City Clerk to have custody of all Records, &c.

SECT. 24. All officers of the town of Newburyport, having the care and custody of any records, papers, or muniments of property belonging to said town, shall deliver the same to the city clerk, within one week after his entering upon the duties of his office.

SECT. 25. All such acts and parts of acts as are inconsistent with the provisions of this act shall be, and the same are, hereby repealed. Repeal.

SECT. 26. Nothing in this act contained shall be so construed as to prevent the Legislature from altering or amending the same whenever they shall deem it expedient. Power of Legislature over this Charter.

SECT. 27. This act shall be void, unless the inhabitants of the town of Newburyport, at a legal meeting called for that purpose, at which the selectmen shall preside, and the check list used in the same manner as at meetings called to choose State officers, and the polls kept open at least six hours, shall, by a vote of the majority of the voters present and voting thereon, yea or nay, by a written ballot, determine to adopt the same, within twenty days from and after its passage. This Act to be void if negatived by the citizens.

SECT. 28. This act shall go into operation from and after its passage.

[Approved by the Governor, May 24th, 1851.]

AMENDMENTS TO CITY CHARTER.

CHAPTER 333, ACTS OF 1851.

AN ACT IN ADDITION TO AN ACT TO ESTABLISH THE CITY OF NEWBURYPORT.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

Each ward to elect one alderman.

SECT. 1. The act passed at the present session of the General Court to establish the City of Newburyport is amended and altered, so that the six Aldermen of the said city provided for by the said act, shall be elected, one by and from the qualified voters of each ward, voting in their respective wards, in the manner prescribed for the election of members of the common council.

To be submitted to the inhabitants.

SECT. 2. This act shall be submitted to the inhabitants of the town of Newburyport, for their acceptance or rejection, at the same time, and in the same manner, with the act in which it is in addition, and shall be in force from and after its acceptance by said inhabitants. [Approved May 24, 1851.

ACTS OF 1863, CHAPTER 129.

AN ACT IN ADDITION TO AN ACT TO ESTABLISH THE CITY OF NEWBURYPORT.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by authority of the same, as follows:—

Overseers of the Poor to be chosen.

SECT. 1. The qualified voters of the city of Newburyport, at their respective annual ward meetings, shall elect at large, by ballot, three persons to be overseers of the poor; and the persons thus chosen shall constitute the board of overseers of the poor; said board of overseers shall quarterly, on or before the fifth days of March, June, September and December in each year, make returns to the city council of the names of all those who have received assistance from the city, for any portion or the whole of the quarters ending on the last days of the months immediately preceding said returns, with the amount received by each. All supplies shall be purchased, and all aid dispensed in such manner as the city council may direct.

Duties defined.

Board of auditors—duties.

SECT. 2. The mayor, president of the common council, and the city treasurer, shall constitute a board of auditors, whose duty it shall be to examine all the accounts, acts and doings of the said board of overseers, and shall annnally, on or before the first Monday in December, make a report to the city council, of all such matters relating to all disbursements by said board of overseers, whether as trustees under

the wills of Margaret Atwood and Timothy Dexter, or otherwise, as they may deem the public good to require.

Repeal. SECT. 3. So much of the two hundred and ninety-sixth chapter of the acts of the year one thousand eight hundred and fifty-one, and all other acts as is inconsistent herewith, is hereby repealed.

Act void unless accepted. SECT. 4. This act shall be void unless the inhabitants of the city of Newburyport, at a legal meeting called for that purpose within ninety days after the passage of this act, shall by a vote of a majority of the voters present and voting thereon, yea or nay, by a written ballot, determine to adopt the same. [Approved April 4, 1863.

CHAPTER 86, ACTS OF 1864.

AN ACT IN ADDITION TO ACT TO ESTABLISH THE CITY OF NEWBURYPORT.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by authority of the same, as follows:—

Board of aldermen, how chosen. SECT. 1. The qualified voters of the city of Newburyport, at their respective annual ward meetings, shall elect at large, by ballot, six persons, one of whom shall be selected from each ward, to be aldermen; and the persons thus chosen shall constitute the board of aldermen, and shall hold their offices for one year from the first Monday in January, and until others shall be elected and qualified.

Repeal.

SECT. 2. Chapter three hundred and thirty-three, of the acts of the year one thousand eight hundred and fifty-one is hereby repealed.

Act how and when to take effect.

SECT. 3. This act shall be submitted to the inhabitants of Newburyport, for their acceptance or rejection, at legal meetings to be called in the several wards of said city within ninety days from the passage of this act, and shall take effect from and after its acceptance by a majority of the votes cast at such meetings. [Approved March 11, 1864.

CHAPTER 251, ACTS OF 1868.

AN ACT AMENDING AN ACT TO ESTABLISH THE CITY OF NEWBURYPORT.

School Committee to be divided into classes.

The act to establish the city of Newburyport, approved the twenty-fourth day of May in the year eighteen hundred and fifty-one, is hereby so amended that the two members of the school committee—to be elected by the voters of each ward of said city, at the next municipal election after the passage of this act, —shall, at the meeting for the organization of said school committee, be divided by lot into two classes; those of the first class to serve for one year, and those of the second class to serve for two years; and thereafter, at the municipal elections of said city, there shall be elected in each ward, one resident of said ward, who shall be a member of the school committee of said city for the term of two years. [Approved May 26, 1868.

AMENDMENTS TO THE CONSTITUTION.

ARTICLE III. Every male citizen of twenty-one years of age and upwards, (excepting paupers and persons under guardianship), who shall have resided within the Commonwealth one year, and within the town or district in which he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant-governor, senators or representatives, and who shall have paid, by himself or his parent, master or guardian, any state or county tax, which shall within two years next preceding such election, have been assessed upon him in any town or district of this commonwealth; and also, every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned, shall have a right to vote in such election of governor, lieutenant-governor, senators and representatives; and no other person shall be entitled to vote in such elections.

ART. XIV. In all elections of civil officers by the people of this Commonwealth, whose election is provided for by the constitution, the person having the highest number of votes shall be deemed and declared to be elected.

ART. XX. No person shall have the right to vote, or be eligible to office under the constitution of this Commonwealth, who shall not be able to read the constitution in the English language, and write his name; *provided, however*, that the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any persons who shall be sixty years of age or upwards at the time this amendment shall take effect.

ACTS OF THIRTY-SEVENTH CONGRESS.

Second Session, July 17, 1862; Chapter CC, Sec. 21.

SECT. 21. *And be it further enacted*, that any alien of the age of twenty-one years and upwards, who has enlisted or shall enlist in the armies of the United States, either the regular or volunteer forces, and has been or shall be hereafter honorably discharged, may be admitted to become a citizen of the United States upon his petition without any previous declaration of his intention to become a citizen of the United States, and that he shall not be required to prove more than one year's residence within the United States previous to his application to become such citizen; and that the Court admitting such alien, shall in addition to such proof of residence and good moral character as is now provided by law, be satisfied by competent proof of such person having been honorably discharged from the service of the United States as aforesaid.

ART. XXVI. The twenty-third article of the articles of amendment to the constitution of this Commonwealth, which is as follows, to wit: "No person of foreign birth shall be entitled to vote, or shall be eligible to office unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this Commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof: *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom," is hereby wholly annulled.

GENERAL STATUTES.

OF THE QUALIFICATIONS OF ELECTORS.

[General Statutes, Chapter 6.]

SECTION 1. Every male citizen of twenty-one years of age and upwards, (except paupers, persons under guardianship, and persons excluded by articles twenty and twenty-three of the amendments to the constitution,) who has resided within the state one year, and within the city or town in which he claims a right to vote six months next preceding any election of city, town, county, or state officers, or of representatives to congress, or electors of president and vice-president, and who has paid, by himself, his parent, master, or guardian, a state or county tax assessed upon him in this state within two years next preceding such election, and every citizen exempted from taxation but otherwise qualified, shall have a right to vote in all such elections; and no other person shall have such right to vote.

SECT. 2. The collectors of state and county taxes in each city and town shall keep an accurate account of the names of

all persons from whom they receive payment of any state or county tax, and of the time of such payment; and upon request shall deliver to the person paying the same a receipt specifying his name and time of payment; and such receipt shall be admitted as presumptive evidence thereof.

SECT. 3. The collectors, whether the time for which they were chosen has expired or not, shall twice in each year, namely, once not more than twenty nor less than fifteen days before the annual city or town elections, and once not more than twenty nor less than fifteen days before the Tuesday next after the first Monday in November, return to the mayor and aldermen and selectmen of their respective cities and towns, an accurate list of all persons from whom they have received payment of any state or county tax subsequently to the time appointed for making their last preceding return.

SECT. 4. Every collector neglecting to make such return shall forfeit one hundred dollars for each neglect; and twenty dollars for every name in respect to which he makes a false return.

SECT. 5. The mayor and aldermen and selectmen of cities and towns shall, at least ten days before the annual city and town elections and at least ten days before the Tuesday next after the first Monday in November annually, make correct alphabetical lists of all the persons qualified to vote for the several officers to be elected at those periods, and shall at least ten days before said elections cause such lists to be posted up in two or more public places in their respective cities and towns.

SECT. 6. The mayor and aldermen and selectmen shall be in session at some convenient place for a reasonable time, within forty-eight hours next preceding all meetings for the elections of the officers aforesaid, for the purpose of receiving evidence of the qualifications of persons claiming a right to

vote in such elections, and of correcting the lists of voters. Such session shall be holden for one hour at least before the opening of the meeting on the day of the election, and notice of the time and place of holding the sessions shall be given by the mayor and aldermen and selectmen upon the lists posted up as aforesaid.

SECT. 7. In every place where the number of qualified voters exceeds one thousand, a like session of the mayor and aldermen or selectmen shall be holden on the day immediately preceding the meeting, and for as much longer time previous to said day as they judge necessary for the purpose aforesaid. When the day immediately preceding such meeting is Sunday, such session shall be holden on the Saturday preceding.

SECT. 8. The selectmen shall also enter on such lists the name of any person known to them to be qualified to vote, and shall erase therefrom the name of any person known to them not to be qualified.

SECT. 9. The mayor and aldermen and selectmen before entering upon the lists the name of a naturalized citizen, shall require him to produce for their inspection his papers of naturalization and be satisfied that he has been legally naturalized; but they need not require the production of such papers after they have once examined and passed upon them.

SECT. 10. Whoever gives a false name or a false answer to the mayor and aldermen or selectmen when in session for the purposes aforesaid, shall forfeit the sum of thirty dollars for each offence.

SECT. 11. The mayor and aldermen and selectmen, if they have duly entered on said lists the names of all persons returned to them by the collectors, shall not be answerable for any omissions therefrom.

SECT. 12. A city or town officer who wilfully neglects or

refuses to perform any duty required of him by the provisions of this chapter, shall for each offence forfeit a sum not exceeding two hundred dollars.

ON THE MANNER OF CONDUCTING ELECTIONS AND RETURNING VOTES.

[General Statutes, Chapter 7.]

SECTION 1. No meeting for the election of national, state, district, county, city, or town officers shall be held on a day upon which the militia of the commonwealth are by law required to do military duty.

SECT. 2. Meetings for the election of national, state, district, and county officers may be opened as early as nine o'clock in the forenoon, and shall be opened as early as two o'clock in the afternoon of the election day; and the mayor and aldermen and selectmen shall decide whether such officers shall be voted for on one ballot or at the same time on separate ballots, and shall give notice thereof in the warrant calling the meeting.

SECT. 3. Such meetings in towns shall be called by the selectmen in the manner ordered by the towns, and in cities according to the provisions of the acts establishing them and the acts in addition thereto; and the warrant for notifying such meetings shall specify the time when the polls for the choice of the several officers shall be opened, and the same shall be kept open at least two hours, and in towns for such longer time as a majority of the voters present shall by vote direct; but in no case shall the polls be kept open after the hour of sunset.

SECT. 5. The city and town clerks shall obtain from the secretary such number of envelopes as may be sufficient to meet the wants of the voters of their respective cities and towns, and keep the same subject to the order of the selectmen of towns, or the wardens and inspectors of cities.

SECT. 6. The ward officers in each city and the selectmen of each town shall obtain from the city or town clerks and provide at the polls on the day of election a sufficient number of such envelopes, and supply each person claiming to be a voter in said city or town, on his personal application, with such number as the pending election may require, and return to the clerk all envelopes not used.

SECT. 7. Whoever wilfully claims to be a voter, knowing that he is not a voter where the claim is made, and by reason thereof fraudulently obtains an envelope from the person having the custody of the same on the day of the election, shall be liable to a fine of not less than ten nor more than fifty dollars.

SECT. 9. The presiding officers at meetings held for the election of town or other officers, shall be provided with a complete list of the persons qualified to vote at such election; and no person shall vote at an election whose name has not been previously placed on such list, nor until the presiding officers find and check his name thereon.

SECT. 11. The moderator of a town meeting shall receive the votes of all persons whose names are borne on the list of voters as certified by the selectmen; and shall not be answerable for refusing the vote of a person whose name is not on said list.

SECT. 12. No vote shall be received by the presiding officers at any election provided for in this chapter, unless presented for deposit in the ballot box by the voter in person in a sealed envelope, or open and unfolded, and so that such officers can know but one ballot is presented.

SECT. 13. Votes for different persons for the same office found in one envelope shall not be counted, and if more than one vote for the same person for the same office is found in one envelope, but one such vote shall be counted, and no vote shall be counted which does not clearly indicate in writing the office for which the person voted for is designed, except when but one officer is voted for.

SECT. 14. In all elections of civil officers by the people, the person or persons having the highest number of votes shall be deemed and declared to be elected; but no persons receiving the same number of votes shall be deemed to be elected, if thereby a greater number would be elected than required by law.

SECT. 15. The votes in elections for national, state, county, and district officers, shall be received, sorted, and counted, by the selectmen, and by the ward officers, and public declaration made thereof in open town and ward meetings. The names of persons voted for, the number of votes received for each person, and the title of the office for which he is proposed, shall be entered in words at length by the town and ward clerks in their records. The ward clerks shall forthwith deliver to the city clerks certified copies of such records, who shall forthwith enter the same in the city records.

SECT. 16. The mayor and aldermen and the clerk of each city shall forthwith after an election examine the returns made by the returning officers of each ward in such city, and if any error appears therein they shall forthwith notify said ward officers thereof, who shall forthwith make a new and additional return, under oath, in conformity to truth, which additional return, whether made upon notice or by such officers without notice, shall be received by the mayor and aldermen or city clerk at any time before the expiration of the day preceding that on which by law they are revuired to make their returns

or to to declare the results of the election in said city; and all original and additional returns so made shall be examined by the mayor and aldermen and made part of their returns of the results of such election. In counting the votes in an election no returns shall be rejected when the votes given for each candidate can be ascertained.

SECT. 17. City and town clerks shall within ten days from the day of on election for governor, lieutenant governor, councillors, senators, secretary, treasurer and receiver-general, auditor, attorney-general, representatives in congress, commissioners of insolvency, sheriffs, registers of probate and insolvency, district-attorneys, or clerks of the courts, transmit copies of the records of the votes, attested by them, certified by the mayor and aldermen or selectmen, and sealed up, to the secretary of the commonwealth; they shall in like manner within ten days after an election for county treasurer or register of deeds, transmit such copies of the records of the votes to the county commissioners of their several counties; and within seven days after an election for county commissioners, transmit such copies of the record of the votes to the clerks of the courts for their several counties; but in Suffolk the return of votes for register of deeds shall be made to the board of aldermen of Boston, and in Chelsea, North Chelsea, and Winthrop, the returns of votes for county commissioners shall be made to the clerk of the courts for the county of Middlesex. Or within three days after such elections, such clerks may deliver such copies, sealed up, to the sheriffs of their several counties who within seven days after receiving them shall transmit them to the office of the secretary, and to the county commissioners, board of aldermen, and clerks of courts, as severally above designated.

SECT. 28. Whoever knowing that he is not a qualified voter at an election wilfully votes for any officers to be then chosen,

shall forfeit a sum not exceeding one hundred dollars for each offence.

SECT. 29. If a voter knowingly gives more than one ballot at one time of balloting at an election, he shall forfeit a sum not exceeding one hundred dollars.

SECT. 30. Whoever gives a false answer to the selectmen or moderator presiding at an election, shall forfeit for each offence a sum not exceeding one hundred dollars.

SECT. 31. Whoever by bribery, or threatening to discharge from his employment, or to reduce the wages of, or by a promise to give employment or higher wages to, a person, attempts to influence a qualified voter to give or withhold his vote in an election, shall be punished by a fine not exceeding three hundred dollars or by imprisonment in the county jail or house of correction for a term not exceeding one year, or both, at the discretion of court.

SECT. 32. Whoever wilfully aids or abets any one, not legally qualified, in voting or attempting to vote at an election, shall forfeit a sum not exceeding fifty dollars for every such offence.

SECT. 33. Whoever is disorderly in a meeting held for an election mentioned in this chapter, shall forfeit a sum not exceeding twenty dollars.

SECT. 34. If a city or town officer wilfully neglects or refuses to perform the duties required of him respecting elections by the provisions of this chapter, he shall for each offence forfeit a sum not exceeding two hundred dollars.

SECT. 35. The clerk of any city or town who fails to make return of the votes given therein in conformity with the provisions of law, shall be liable to a fine of not less than five or not more than fifty dollars.

SECT. 36. Elections in cities shall be conducted according

to the provisions of the acts establishing them and of the several acts in addition thereto, so far as they are not inconsistent with the provisions of this chapter.

AN ACT CONCERNING MUNICIPAL ELECTIONS.

[Chapter 138, Acts of 1860.]

The Selectmen of the several towns shall insert in their warrant for calling meetings for the elections of state officers, representatives to congress, and presidential electors, the hour at which the polls may be closed, and it shall not be lawful to close the polls for the election of such officers until the hour named in the warrant has arrived: *provided* that nothing in this act shall be construed to conflict with the provisions of chapter seven of the General Statutes, passed December twenty eighth, in the year eighteen hundred and fifty nine. [Approved March 31, 1860.

AN ACT DEFINING THE QUALIFICATIONS OF VOTERS FOR REPRESENTATIVES TO CONGRESS.

[Chapter 145, Acts of 1861.]

SECTION 1. In any election of representatives to congress in this commonwealth, no person shall be allowed to vote for the same until he shall have resided in the congressional dis-

trict where he offers to vote, six months next preceding such election, and shall be otherwise qualified according to the constitution and laws of this state: *provided*, that when the state shall be districted anew for members of congress, he shall have the right so to vote in the district where he is located by such new arrangement: and *provided also*, that no voter residing in any city which now is, or hereafter may be, divided by the line between congressional districts, shall be deprived of his vote in the district in which he is assessed, or liable to assessment, on the first day of May next preceding such congressional election, if he be otherwise qualified.

SECT. 2. This act shall take effect upon its passage.—[Approved April 6, 1861.

AN ACT CONCERNING ELECTIONS IN CITIES.

[Chapter 144, Acts of 1863.]

SECTION 1. In all elections held within the cities of the commonwealth, whether the same shall be for United States, state, county, city, or ward officers, it shall be the duty of the warden, or other presiding officer, to cause all ballots which shall have been given in by the qualified voters of the ward in which such election has been held, and after the same shall have been sorted, counted, declared, and recorded, to be secured in an envelope, in open ward meeting, and sealed with a seal provided for the purpose; and the warden, clerk, and a majority of the inspectors of the ward, shall indorse upon the envelope for what offices and in what ward the ballots have been received, the date of the election, and their certificate

that all the ballots given in by the voters of the ward, and none other, are contained in said envelope.

SECT. 2. The warden, or other presiding officer, shall forthwith transmit the ballots, sealed as aforesaid, to the city clerk, by the constable in attendance at said election, or by one of the ward officers other than the clerk; and the clerk shall retain the custody of the seal, and deliver the same, together with the records of the ward and other documents, to his successor in office.

SECT. 3. The city clerk shall cause to be furnished to the clerks of the several wards a seal of suitable device, the design of which shall include the number or designation of the ward for which it shall be furnished. He shall receive and retain in his care the ballots transmitted to him, for the space of not less than sixty days; if within the time prescribed by law for forwarding returns or declaring results of an election, ten or more citizens of any ward shall notify the city clerk, by a written statement, that they have reason to believe that the returns of the ward officers are erroneous, and shall specify wherein they deem them in error, the said clerk shall receive such statement, and shall notify the board of aldermen, or the committee thereof appointed to examine the returns of said election, and the board of aldermen, or their committee, shall, within the time required by law for examining the returns or declaring the results of the election, examine the ballots thrown in said ward, and determine the questions raised; they shall then re-seal the envelope, either with the seal of the city or a seal provided for the purpose, and shall indorse upon said envelope a certificate that the same has been opened and re-sealed by them in conformity to law; and the ballots sealed as aforesaid shall be returned to the city clerk, who, upon their certificates, shall alter and amend such returns as are found to be erroneous, and such amended return shall stand as

the true return of the ward. And if, within sixty days of an election, any person who received votes for any office at said election shall serve upon the city clerk, by himself, his agent, or attorney, a written notification claiming an election to such office, and declaring an intention to contest the right of any person who has received or who may receive a certificate of election for the same, the city clerk shall retain such ballots, sealed as aforesaid, subject to the order of the body to which such person shall claim to have been elected, or until such claim shall have been withdrawn or finally decided.

SECT. 4. Whenever in any election the right of any person offering to vote is challenged for any cause recognized by existing laws, it shall be the duty of the warden or presiding officer, if the person challenging shall so demand, to require the person so offering to vote to write his name and residence upon the ballot so offered and challenged, and the warden or presiding officer shall add thereto the name of the person challenging the same, and the cause assigned therefor, before such ballot shall be received; and if such ballot shall be offered sealed, the writing as aforesaid may be upon the envelope covering the same, and the warden or other presiding officer, in the presence of the clerk and at least one inspector, shall mark and designate such ballot, by writing thereon the name of the person by whom it was cast, before it is counted, and at the close of the election the same shall be returned to the envelope in which it was deposited: *provided*, that nothing contained in this section shall he so construed as to permit ward officers to receive any vote which, by existing laws, they are required to refuse.

SECT. 5. If any city clerk shall wilfully neglect or refuse to comply with any of the requirements of this act, he shall be punished by a fine not exceeding two hundred dollars. And if any warden or other presiding officer, constable or ward officer as aforesaid, shall wilfully neglect or refuse to comply

with the provisions of this act, he shall be punished by a fine of not less than twenty, or more than two hundred dollars, or by imprisonment in the county jail for a term not exceeding one year.—[Approved April 13, 1863.

AN ACT TO PRESERVE THE RIGHT OF SUFFRAGE TO SOLDIERS AND SAILORS.

[Chapter 68, Acts of 1865.]

SECTION I. Whenever any person shall make application to the assessors of any city or town of this Commonwealth to be assessed a poll tax for the then current year, and it shall appear that such applicant was on the first day of May preceding a resident of said city or town and liable to pay a poll-tax therein, but was not assessed therefor, and that such applicant is, or has been during any portion of the two years preceding such application, engaged in the military or naval service of the United States, it shall be the duty of such assessors forthwith to assess such tax, and notify the treasurer of such city or town of the same, and the person so assessed shall, upon payment of said tax, be entitled to the right to vote in said city or town to the same extent as if his taxes had been assessed and paid in the manner heretofore provided by law.

SECT. 2. Chapter one hundred and forty-four of the acts of the year eighteen hundred and sixty-four is hereby repealed.

SECT. 3. This act shall take effect upon its passage. [Approved March 6, 1865.

AN ACT IN RELATION TO THE TIME OF HOLDING MEETINGS FOR THE THE ELECTION OF CERTAIN OFFICERS.

[Chapter 50, Acts of 1867.]

Section two of chapter seven of the General Statutes is so far amended, that the meetings in said section mentioned, may be opened as early as eight o'clock in the forenoon. [Approved February 25, 1867.

AN ACT IN RELATION TO THE ELECTION OF WARD OFFICERS.

[Chapter 240, Acts of 1867.]

SECTION 1. At each municipal election of the cites of this Commonwealth, it shall be the duty of the ward officers of the several wards to make out and sign certificates of the election of such ward officers as are chosen at such election, in the manner now provided by law, and said certificates for each ward shall be placed in one envelope, endorsed "ward officers chosen in ward number ," and transmitted to the city clerk, who shall retain said envelopes unopened for twenty days, subsequent to the day of said election, and he shall then open said envelopes and transmit said certificates to the persons who appear to be thus chosen.

SECT. 2. If within said twenty days a statement, in writing, is filed with the city clerk, signed by ten legal voters in

any ward, stating that they believe that the warden, or clerk, or any inspector of elections of said ward, who has been declared elected, did not receive a plurality of the votes cast on the preceding election day, it shall be the duty of the city clerk to lay the same before the board of aldermen for the time being, who shall proceed to count the original ballots cast for such warden, clerk or inspector, and shall declare the result, and shall issue a certificate to the person entitled thereto: *provided*, that this act shall not apply to ward officers chosen to fill vacancies on election day.

SECT. 3. All provisions of existing laws inconsistent herewith are hereby repealed. [Approved May 16, 1867.

AN ACT RELATING TO THE ASSESSMENT OF TAXES.

[Chapter 211, Acts of 1868.]

SECTION 1. The assessors of cities and towns shall, on or before the first day of July, in each year, make correct alphabetical lists of the names of all persons in their respective cities and towns against whom a poll tax has been assessed for that year, together with a designation, in cities, of the street and number of the residence of such persons, when practicable, and on or before said day shall cause such lists to be posted in two or more public places in each town, and each ward of a city.

SECT. 2. When any person, on or before the first day of August, in any year, gives a notice in writing, accompanied by satisfactory evidence, to the assessors of a city or town, that he was, on the first day of May of that year, an inhabit-

ant thereof, and liable to a poll-tax, and furnishes under oath a true list of his polls and estate, both real and personal, not exempt from taxation, the assessors shall assess him for his polls and estate; but such assessment shall be subject to the provisions of chapter one hundred and twenty-one of the acts of the year one thousand eight hundred and sixty-five; and the assessors shall, on on before the fifteenth day of August, deposit with the clerk of the city or town a list of the persons so assessed. The taxes so assessed shall be entered in the tax-list of the collector of the city or town, and he shall collect and pay over the same in the manner specified in his warrant. [Approved May 14, 1868.

AN ACT TO REPEAL SECTION ONE OF CHAPTER TWO HUNDRED AND ELEVEN OF THE ACTS OF THE YEAR EIGHTEEN HUNDRED AND SIXTY-EIGHT, CONCERNING THE ASSESSMENT OF TAXES.

[Chapter 443, Acts of 1869.]

SECTION 1. Section one of chapter two hundred and eleven of the acts of the year eighteen hundred and sixty-eight, entitled "An Act relating to the assessment of taxes," is hereby repealed. And the notice provided for in the second section of said act may be given on or before the fifteenth day of September in each year, and the lists of persons so assessed shall be deposited by the assessors with the clerk of the city or town on or before the first day of October in each year.

SECT. 2. This act shall take effect upon its passage. [Approved June 22, 1869.

AN ACT CONCERNING ELECTIONS IN CITIES AND TOWNS.

[Chapter 62, Acts of 1869.]

SECTION 1. Meetings for the election of national, state, county, district, city and town officers, may be opened as early as 7 o'clock in the forenoon, and shall be opened as early as two o'clock in the afternoon of the election day, but in no case shall the polls be kept open after the hour of sunset. [Approued March 10, 1869.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF ASSISTANT CITY CLERKS.

[Chapter 72, Acts of 1869.]

SECT. 1. Any city in the Commonwealth may establish by ordinance, the office of assistant city clerk, who shall be appointed in such manner and have such duties and powers, now belonging to the office of city clerk, as such ordinances shall prescribe and determine.

SECT. 2. Any document or paper certified or attested by an assistant city clerk, shall be admissible in evidence in all courts of this Commonwealth in the same manner and to the same extent, as if such document or paper were certified or attested by the city clerk.

SECT. 3. This act shall take effect upon its passage. [Approved March 17, 1869.

AN ACT CONCERNING THE QUALIFICATION AND EXEMPTION OF JURIES.

[Chapter 132, General Statutes.]

SECTION. 1. All persons who are qualified to vote in the choice of representatives in the general court shall be liable to be drawn and serve as jurors, except as is hereinafter provided.

SECT. 2. The following persons shall be exempt from serving as jurors, to wit :—

The governor, lieutenant-governor, members of the council, secretary of the commonwealth, members and officers of the senate and house of representatives during the session of the general court, judges and justices of any court, (except justices of the peace,) county and special commissioners, clerks of courts, registers of probate and insolvency, registers of deeds, sheriffs and their deputies, coroners, constables, marshals of the United States and their deputies, and all other officers of the United States, counsellors and attorneys at law, settled ministers of the gospel, officers of colleges, preceptors and teachers of incorporated academies, practising physicians and surgeons regularly licensed, cashiers of incorporated banks, constant ferrymen, persons who are more than sixty-five years old, members of the volunteer militia, members of the ancient and honorable artillery company, and engine men and members of the fire department of the city of Boston, and enginemen and members of the fire department of other places may be exempt by the vote of the city council of the city or the inhabitants of the town.

SECT. 3. No person shall be liable to be drawn and serve as a juror in any court oftener than once in three years, except as provided in the two following sections, but he shall

not be so exempt unless he actually attends and serves as a juror in pursuant of the draft.

SECT. 4. The inhabitants of the counties of Nantucket and Dukes County shall be liable to be drawn and serve as jurors once in every two years.

SECT. 5. No person shall be exempt from serving on a jury in any other court, in consequence of his having served before a justice of the peace or police court. No person shall be compelled to serve as a juror before any justice of the peace, or police court, more than twenty-four days in any one year, nor more than fourteen days at any one time, except to finish a case commenced within that time.

SECT. 6. The selectmen in each town shall once in every year prepare a list of such inhabitants of the town not absolutely exempt, as they think well qualified to serve as jurors, being persons of good moral character, of sound judgment, and free from all legal exceptions; which list shall include not less than one for every one hundred inhabitants of the town, and not more than one for every sixty inhabitants, computing by the then last census, except that in the county of Dukes County it may include one for every thirty inhabitants.

SECT. 7. The list when so prepared shall be posted up by the selectmen in public places in the town, ten days at least before it is submitted for revision and acceptance, and shall then be laid before the town; and the town may alter it by adding the names of any persons liable to serve, or striking any names therefrom.

SECT. 8. The selectmen shall cause the names borne on the list to be written, each on a separate paper or ballot, and shall roll up or fold the ballots so as to resemble each other as much as possible, and so that the name written thereon shall not be visible on the outside; and they shall place the ballots in a box to be kept by the town clerk for that purpose.

SECT. 9. If any person whose name is so placed in the jury box is convicted of any scandalous crime, or is guilty of any gross immorality, his name shall be withdrawn therefrom by the selectmen, and he shall not be returned to serve as a juror.

SECT. 15. All jurors, whether required to serve on a grand or traverse jury, by force of the law relating to highways or mills, or on any other occasion, (except inquests and proceedings relating to the commitment of insane persons,) shall be selected by drawing ballots from the jury box, and the persons whose names are borne on the ballots so drawn shall be returned to serve as jurors.

SECT. 16. When jurors are to be so drawn, the town clerk and selectmen shall attend at the clerk's office or at some other public place appointed for the purpose, and if the clerk is absent the selectmen may proceed without him. The ballots in the jury box shall be shaken and mixed together, and one of the selectmen without seeing the names written thereon shall openly draw therefrom a number of ballots equal to the number of jurors required. If a person so drawn is exempt by law, or is unable by reason of sickness or absence from home to attend as a juror, or if he has served as a juror in any court within three years then next preceding, his name shall be returned into the box and another drawn in his stead.

SECT. 17. When a person is drawn and returned to serve as a juror in any court, the selectmen shall indorse on the ballot the date of the draft and return it into the box, and whenever there is a revision and renewal of the ballots in the box, the selectmen shall transfer to the new ballots the date of all drafts made within three years then next preceding.

SECT. 22. The mayor and aldermen and the clerks of each city shall severally have and exercise all the powers and duties with regard to drawing and all other matters relating to

jurors therein, which are in this chapter required to be performed by the selectmen and town clerks in their respective towns, and all *venires* for jurors to be returned from cities shall be served on the mayor and aldermen.

AN ACT TO EXEMPT CERTAIN PERSONS FROM SERVICE AS JURORS.

[Chapter 215, Acts of 1864.]

SECTION 1. The superintendents, officers and assistants employed in or about either of the state hospitals, state almshouses, jails, lunatic hospitals, houses of correction, houses of industry, reform schools, or the state prison, keepers of lighthouses, conductors and engine drivers of railroad trains, and teachers in public schools, shall be exempt from service as jurors.

SECT. 2. This act shall take effect upon its passage. [Approved May 11, 1864.

OF THE SETTLEMENT OF PAUPERS.

[Chapter 69, General Statutes.]

SECTION 1. Legal settlements may be acquired in any city or town, so as to oblige such place to relieve and support the

persons acquiring the same, in case they are poor and stand in need of relief, in the manner following, and not otherwise, namely:—

First. A married woman shall follow and have the settlement of her husband, if he has any within the state; otherwise her own at the time of marriage, if she then had any, shall not be lost or suspended by the marriage.

Second. Legitimate children shall follow and have the settlement of their father, if he has any within the state, until they gain a settlement of their own; but if he has none, they shall in like manner follow and have the settlement of their mother, if she has any.

Third. Illegitimate children shall follow and have the settlement of their mother at the time of their birth, if she then has any within the state; but neither legitimate nor illegitimate children shall gain a settlement by birth in the place where they may be born, if neither of their parents then has a settlement therein.

Fourth. Any person of the age of twenty-one years, being a citizen of this or any other of the United States, and having an estate of inheritance or freehold in any place within the state, and living on the same three years successively, shall thereby gain a settlement in such place.

Fifth. Any person of the age of twenty one years, being a citizen of this or any other of the United States, and having an estate, the principal of which shall be set at two hundred dollars or the income at twelve dollars in the valuation of estates made by assessors, and being assessed for the same, to state, county, city, or town taxes for five years successively in the place where he dwells and has his home, shall thereby gain a settlement therein.

Sixth. Any person being chosen and actually serving one whole year in the office of clerk, treasurer, selectman, overseer of the poor, assessor, constable, or collector of taxes in any place, shall thereby gain a settlement therein. For this purpose a year shall be considered as including the time between the choice of such officers at one annual meeting and the choice at the next annual meeting, whether more or less than a calendar year.

Seventh. Every settled ordained minister of the gospel shall be deemed to have acquired a legal settlement in the place wherein he is or may be settled as a minister.

Eighth. Any person admitted an inhabitant by any place at a legal meeting, held under a warrant containing an article for that purpose, shall thereby acquire a legal settlement therein.

Ninth. Any citizen of this or any other of the United States, dwelling and having his home in any unincorporated place at the time it is incorporated into a town, shall thereby acquire a legal settlement therein.

Tenth. Upon the division of a city or town, every person having a legal settlement therein, but being absent at the time of such division and not having acquired a legal settlement elsewhere, shall have his legal settlement in that place wherein his last dwelling place or home happens to fall upon such division; and when a new city or town is incorporated, composed of a part of one or more incorporated places, every person legally settled in the places of which such new city or town is so composed, and who actually dwells and has his home within the bounds of such new city or town at the time of its incorporation, shall thereby acquire a legal settlement in such new place: *provided*, that no person residing in that part of a place which upon such division shall be incorporated into a

new city or town, having then no legal settlement therein, shall acquire any by force of such incorporation only; nor shall such incorporation prevent his acquiring a settlement therein, within the time and by the means by which he would have gained it there if no such division had been made.

Eleventh. A minor who serves an apprenticeship to a lawful trade for the space of four years in any place, and actually sets up such trade therein within one year after the expiration of said term, being then twenty-one years old, and continues there to carry on the same for five years, shall thereby gain a settlement in such place; but being hired as a journeyman shall not be considered as setting up a trade.

Twelfth. Any person of the age of twenty-one years, being a citizen of this or any other of the United States, who resides in any place within this state for ten years together, and pays all state, county, city, or town taxes, duly assessed on his poll or estate for any five years within said time, shall thereby gain a settlement in such place.

SECT. 2. No person who has begun to acquire a settlement by the laws in force at and before the time when this chapter takes effect, in any of the ways in which any time is prescribed for a residence, or for the continuance or succession of any other act, shall be prevented or delayed by the provisions of this chapter; but he shall acquire a settlement by a continuance or succession of the same residence or other act in the same time and manner as if the former laws had continued in force.

SECT. 3. Every legal settlement shall continue till it is lost or defeated by acquiring a new one within this state; and upon acquiring such new settlement all former settlements shall be defeated and lost.

OF THE SUPPORT OF PAUPERS BY CITIES AND TOWNS.

[Chapter 70, General Statutes.]

SECTION 1. Every city and town shall relieve and support all poor and indigent persons lawfully settled therein, whenever they stand in need thereof.

SECT. 2. The overseers of the poor shall have the care and oversight of all such poor and indigent persons so long as they remain at the charge of their respective cities or towns, and shall see that they are suitably relieved, supported and employed, either in the workhouse or almshouse, or in such other manner as the city or town directs, or otherwise at the discretion of said overseers. They may remove to the almshouse such children as are suffering destitution from extreme neglect of dissolute or intemperate parents or guardians.

SECT. 3. The overseers of the poor shall have the same power and authority over persons placed under their care, which directors or masters of workhouses have over persons committed thereto.

SECT. 4. The kindred of such poor persons, in the line or degree of father or grandfather, mother or grandmother, children or grandchildren, by consanguinity, living in this state and of sufficient ability, shall be bound to support such paupers, in proportion to their respective ability.

SECT. 5. The superior court in the county where any one of such kindred to be charged resides, upon complaint of any city, town, or kindred who shall have been at expense for the relief and support of such pauper, may, on due hearing, assess and apportion upon such of the kindred as they shall find to

be of sufficient ability, and, in proportion thereto, such sum as they shall deem reasonable for or towards the support of the pauper to the time of such assessment: and may enforce payment thereof by execution in common form: *provided*, that such assessment shall not extend to any expense for relief afforded more than six months previous to the filing of complaint.

SECT. 6. The court may further assess and apportion upon said kindred such weekly sum as they shall deem sufficient for the future support of the pauper, to be paid quarter yearly until the further order of court; and upon application from time to time of the city, town or kindred, to whom the same is ordered to be paid, the clerk of said court shall issue and may renew an execution for the arrears of any preceding quarter.

SECT. 7. When the court adjudges two or more of the kindred of a pauper to be of sufficient ability to contribute to his support, they shall tax no more costs against any one respondent than is occasioned by his default or separate defence.

SECT. 8. The court may further order with whom of such kindred may desire it, such pauper shall live and be relieved, and such time with one, and such time with another, as they shall deem proper, having regard to the comfort of the pauper as well as the convenience of the kindred.

SECT. 9. The complaint made as provided in this chapter, shall be filed in the clerk's office, and a summons shall be thereupon issued requiring the kindred therein named to appear and answer thereto; which summons shall be directed to any officer qualified to serve civil process between the parties, and served like an original summons, fourteen days at least before the sitting of the court to which it is returnable.

SECT. 10. Upon suggestion that there are other kindred of

ability not summoned in the original process, that may be summoned, and after due notice, whether they appear or are defaulted, the court may proceed against them in the same manner as if they had been summoned upon the original complaint.

SECT. 11. The court may take further order from time to time in the premises, upon application of any party interested, and may alter such assessment and apportionment according to circumstances; and upon all such complaints they may award costs to either party as justice requires.

SECT. 12. Said overseers in their respective places, shall provide for the immediate comfort and relief of all persons residing or found therein, having lawful settlements in other places, when they fall into distress and stand in need of immediate relief, and until they are removed to the places of their lawful settlements; the expenses whereof, incurred within three months next before notice given to the place to be charged, as also of their removal, or burial in case of their decease, may be recovered by the place incurring the same against the place liable therefor, in an action at law, to be instituted within two years after the cause of action arises, but not otherwise.

SECT. 13. A recovery in such action shall bar the place against which it shall be had from disputing the settlement of such pauper with the place so recovering, in any future action brought for his support.

SECT. 14. When a person is supported in a place other than that in which he has his settlement, the place liable for his support shall not be required to pay therefor more than at the rate of one dollar a week: *provided*, that the place so liable shall cause the pauper to be removed within thirty days from the time of receiving legal notice that such support has been furnished.

SECT. 15. The overseers of the poor of each place shall also relieve, support, and employ, all poor persons residing or found therein, having no lawful settlements within this state, until their removal to a state almshouse, and in case of their decease shall decently bury them; the expense whereof may be recovered of their kindred, if they have any chargeable by law for their support, in the manner herein before provided; and if in case of their burial the expense thereof is not paid by such kindred, there shall be paid from the treasury of the commonwealth, five dollers for the funeral expenses of each pauper over twelve years of age, and two dollars and fifty cents for the funeral expenses of each pauper under that age.

SECT. 16. Every city and town shall be held to pay any expense necessarily incurred for the relief of a pauper therein by any person who is not liable by law for his support, after notice and request made to the overseers thereof, and until provision is made by them.

SECT. 17. The overseers of any place may send a written notification, stating the facts relating to any person actually become chargeable thereto, to one or more of the overseers of the place where his settlement is supposed to be, and requesting them to remove him, which they may do by a written order, directed to any person therein designated, who may execute the same.

SECT. 18. If such removal is not effected by the last mentioned overseers within two months after receiving the notice, they shall within said two months send to one or more of the overseers requesting such removal, a written answer, signed by one or more of them, stating therein their objections to the removal; and if they fail so to do, the overseers who requested the removal may cause the pauper to be removed to the place of his supposed settlement, by a written order directed to any

person therein designated, who may execute the same; and the overseers of the place to which the pauper is so sent shall receive and provide for him; and such place shall be liable for the expenses of his support and removal, to be recovered in an action by the place incurring the same, and shall be barred from contesting the question of settlement with the plaintiffs in such action.

SECT. 19. The notification and answer mentioned in the two preceding sections may be sent by mail; and such notification or answer, directed to the overseers of the poor of the place intended to be notified or answered, postage prepaid, shall be deemed a sufficient notice or answer, and shall be considered as delivered to the overseers to whom it is directed, at the time when it is received in the post office of the place to which it is directed and in which the overseers reside.

SECT. 20. Whoever brings into and leaves any poor and indigent person in any place in this state, wherein such pauper is not lawfully settled, knowing him to be poor and indigent, and with intent to charge such place with his relief or support, shall forfeit a sum not exceeding one hundred dollars for each offence, to be recovered in an action of tort to the use of such place.

AN ACT RELATING TO THE SETTLEMENT AND RELIEF OF PERSONS WHO HAVE SERVED IN THE ARMY AND NAVY OF THE UNITED STATES.

[Chapter 230, Acts of 1865.]

SECTION 1. Any person who shall have been duly enlisted and mustered into the military or naval service of the United

States, as a part of the quota of any city or town in this Commonwealth, under any call of the president of the United States, during the recent civil war, and who shall have continued in such service for a term not less than one year, or who shall have died or become disabled from wounds or disease received or contracted while engaged in such service, or while a prisoner in the hands of the enemy, and the wife or widow and minor children of such person, shall be deemed thereby to have acquired a settlement in such city or town; and all the rights, duties and liabilities pertaining to such settlement, as set forth in chapters sixty-nine and seventy, and in section forty-nine of chapter seventy-one of the General Statutes, shall attach thereto: *provided*, such person was, at the time of his enlistment, of the age of twenty-one years, an inhabitant of said city or town, and had resided therein for six months next previous to the time of his being mustered into said service.

SECT. 2. Any person enlisted, mustered and serving as a part of the quota of any city or town as set forth in the first section of this act, but who shall not be entitled to a settlement therein by reason of the want of age or residence required by said section, shall, nevertheless, be entitled for himself, his wife or widow, and minor children, to relief and support in such city or town, if at any time they should fall into distress therein, or stand in need of such relief or support; and such city or town shall not send such person, nor his wife or widow, nor his minor children, to any state almshouse, nor remove them to any other place, nor recover the expenses of their relief or support from any other city or town, nor receive the same from the Commonwealth; and if any city or town shall cause any such person so entitled to relief therein to be sent to any state almshouse, or removed to any other place, such city or town shall be liable, in an action of tort,

for all expenses of their relief and support thereafter incurred in such almshouse, or by any other city or town. But, otherwise than as above provided, said city or town shall not be liable to any other city or town, nor to the Commonwealth, for the expenses of any relief or support furnished to such person, or to his wife, widow or minor children, in such other place or in any state almshouse.

SECT. 3. The provisions of this act shall not apply to any person who shall have enlisted and received a bounty for such enlistment in more than one town, unless the second enlistment was made after an honorable discharge from the first term of service, nor to any person who shall have been guilty of wilful desertion, or who shall have left the service otherwise than by reason of disability or an honorable discharge. [Approved May 13, 1865.

AN ACT RELATIVE TO STATE PAUPERS.

[Chapter 234, Acts of 1866.]

SECTION 1. When the operation of any provisions of law in relation to poor and indigent persons might cause a separation of husband and wife, by reason of the wife having a legal settlement in some place in the Commonwealth, the husband being a state pauper, both parties shall be supported by the place where the wife has a legal settlement.

SECT. 2. The expense of thus supporting the person who is such state pauper shall be paid by the Commonwealth, reference being had to the expense of supporting such person at the state almshouse, if there committed.

SECT. 3. Chapter ninety-four of the acts of the year eighteen hundred and sixty-one is hereby repealed.

SECT. 4. This act shall take effect upon its passage. [Approved May 15, 1866.

AN ACT CONCERNING THE BURIAL OF STATE PAUPERS.

[Chapter 97, Acts of 1867.]

Section fifteen of chapter seventy of the General Statutes is hereby amended, so that ten dollars for the funeral expenses of each pauper over twelve years of age, and five dollars for the funeral expenses of each pauper under that age, shall be paid from the treasury of the Commonwealth. [Approved March 23, 1867.

AN ACT IN RELATION TO THE SETTLEMENT OF PAUPERS.

[Chapter 328, Acts of 1868.]

SECTION 1. Hereafter, any person of the age of twenty-one years, having the other qualifications mentioned in the fourth, fifth, ninth and twelfth clauses of the first section of chapter sixty-nine of the General Statutes, shall be deemed

to have thereby gained a settlement as therein provided, although not a citizen of this or any other of the United States.

SECT. 2. If any person, actually become chargeable as a pauper to any city or town in which he has a settlement, has a settlement subsequently acquired in any place without this Commonwealth, the overseers of the poor of such city or town may cause him to be removed to said place of subsequent settlement, by a written order directed to any person therein designated, who may execute the same.

SECT. 3. Section one of chapter two hundred and thirty of the acts of the year eighteen hundred and sixty-five, is hereby amended, by striking from the end thereof the words, "and had resided therein for six months next previous to the time of his being mustered into said service," and by inserting the word "and" before the words "an inhabitant," in the last clause left remaining in said section. [Approved June 9, 1868.

AN ACT RELATING TO STATE AID.

(Chapter 232, Acts of 1865.)

SECTION 1. Any town or city may raise money by taxation or otherwise, and, if necessary, apply the same, under the direction of their selectmen, or mayor and aldermen, or city council, for the aid of the wife, children or step-children, parents, brothers or sisters of any person upon whom they were dependent, whether an inhabitant of said town or city

or not, (*provided* only that those to whom aid is given shall reside within the United States,) who, as a part of the quota of this Commonwealth, and of said town or city either,

First. Has been duly enlisted and mustered into the volunteer service of the United States, or into the regular military service, since the third day of September, in the year eighteen hundred and and sixty-two, and remains actually in said military service: or,

Second. Has been drafted into the army of the United States under any act of Congress, and remains actually in said military service; or

Third. Has been duly enlisted into the naval service of the United States, or transferred to such service from the military service: *provided*, that he is credited to such town or city under the enrolment laws of the United States; or

Fourth. Who may have died after being duly mustered into the military or naval service of the United States upon voluntary enlistment or draft, or upon transfer from the military to the naval service, first while in the service of the United States, or second, after his discharge therefrom by reason of disability or disease contracted while in the service, or third, after his discharge at the expiration of his term of service, but in consequence of disease or injury contracted or received in the service and existing at the time of his discharge: *provided*, that no sum shall be so applied for a period of more than one year, or after the payment to the family and dependents of such person, or either of them, of any sums under the pension act of the United States passed July fourteenth, in the year eighteen hundred and sixty-two; and *provided, further*, that they were entitled to such aid prior to his decease or discharge.

Fifth. Who may have been disabled while in the service

of the United States, as aforesaid, and discharged from said service by reason of such disability, or by reason of the expiration of his term of service: *provided*, that said disability was contracted in or caused by said service, and existed at the time of discharge, thereby rendering said person unable to provide for those dependent upon him: and, *provided, also*, that no sums shall be so applied for a period of more than one year, or after the payment to the family and dependents of such person, or either of them, of any sums under the pension act of the United States, passed July fourteeenth, in the year eighteen hundred and sixty-two; and *provided, further*, that they were entitled to such aid prior to his discharge.

SECT. 2. The foregoing provisions relating to state aid shall apply equally to those persons who enlisted as a part of the quota of any other state prior to the eighteenth day of March, in the year eighteen hundred and sixty-two, if, at the time of enlistment, they were inhabitants of any town or city in this Commonwealth, and to those also who, although not inhabitants of this Commonwealth at the time of their enlistment and muster into the military or naval service of the United States, have become such by the establishment of the boundary line between this Commonwealth and the state of Rhode Island.

SECT. 3. Of the sums applied, as aforesaid, there shall be annually reimbursed from the treasury of the Commonwealth to the town or city so applying the same, a sum not exceeding one dollar per week for the wife, and one dollar per week for each child and parent to whom aid is furnished: *provided*, that the whole sum so reimbursed shall not exceed twelve dollars per month for all such persons dependent upon any individual at the time he was or shall be duly enlisted and mustered or drafted into the military or naval service of the United

States; including herein the wife of any such individual married, and any child of such individual born, after such enlisting and mustering or drafting; and *provided, also*, that no such reimbursement shall be made of money applied for the aid of any wife, child or parent aforesaid, of any commissioned officer in said volunteer service, nor for the aid of any person dependent upon any volunteer from this Commonwealth, enlisted into regiments of any other state, who receive aid from such other state.

SECT. 4. On or before the fifth day of January in each year, there shall be deposited in the office of the auditor of the Commonwealth, by each town and city raising and applying money, as aforesaid, a full and particular report, setting forth the names of the soldiers and sailors, for the aid of whose families money has been applied as aforesaid, the names and ages of the several persons for the aid of whom money has been applied as aforesaid, the relation such persons severally bear to such soldiers or sailors, the sums paid to each of such persons, and the time when the same were paid. And no reimbursement shall be made from the treasury of the Commonwealth to such town or city, as herein before provided, until such report has been sworn to by a majority of the selectmen of such town, or the mayor and a majority of the aldermen of such city, deposited as aforesaid, and carefully examined, scrutinized and approved by said auditor.

SECT. 5. All the laws now in force in aid of the families of volunteers and drafted men, may be so construed as to authorize the payment of aid retroactively, so as to include any aid to which any person might have been entitled if seasonably applied for, prior to the application for the same: *provided, however*, that such retroactive payment shall not extend beyond the period of six months prior to said application.

SECT. 6. Chapter two hundred and twenty-two of the acts of the year eighteen hundred and sixty-one; chapter sixty-six, chapter one hundred and fifty-one, and chapter one hundred and sixty-six, of the acts of the year eighteen hundred and sixty-two; chapter seventy-nine, and chapter one hundred and seventy-six, of the acts of the year eighteen hundred and sixty-three; sections one and two of chapter one hundred and forty-three, and chapter forty-seven, of the acts of the year eighteen hundred and sixty-four, are hereby repealed: *provided*, that this act shall affect no acts or doings of any city or town which have been legalized by any provisions of the foregoing chapters.

SECT. 7. This act shall take effect upon its passage. [Approved May 13, 1865.

AN ACT TO PROVIDE STATE AID FOR DISABLED SOLDIERS AND SAILORS AND THEIR FAMILIES, AND FOR THE FAMILIES OF THE SLAIN.

[Chapter 172, Acts of 1866.]

SECTION 1. The treasurers of cities and towns shall, under the direction of the city council, or selectmen thereof, pay monthly the sum of six dollars, from and after the first day of January in the year eighteen hundred and sixty-six, to any person having a residence in said city or town, who has served in the army or navy of the United States, as an officer or as an enlisted or drafted man, to the credit of the state of Massachusetts, between the nineteenth day of April in the

year eighteen hundred and sixty-one and the first day of September in the year eighteen hundred and sixty-five, and who is now residing within this State, and who is wholly or partially disabled by reason of wounds received in said service, or by sickness or disability contracted therein; or who, being at the time of his enlistment and now an inhabitant of this State, has served as aforesaid to the credit of any other State between the said nineteenth day of April and the eighteenth day of March in the year eighteen hundred and sixty-two, and who is wholly or partially disabled by reason of wounds received in said service, or by sickness or disability contracted therein: *provided*, that said person has an honorable discharge from said service by reason of wounds, or disability, or expiration of his term of service, or has been duly mustered out of said service, and does not receive aid from any other State, or from any other town under the provisions of this act.

SECT. 2. The treasurers of cities and towns shall, under the direction of the city council, or selectmen thereof, pay monthly, for a period not exceeding three years from and after the first day of January, in the year eighteen hundred and sixty-six, to the widow, children, father or mother, being in necessitous circumstances, (having a residence in said city or town, and now residing in this State,) of any person upon whom they were dependent, who served in the army or navy of the United States as an officer or as an enlisted or drafted man, to the credit of the State of Massachusetts, between the nineteenth day of April in the year eighteen hundred and sixty-one and the first day of September in the year eighteen hundred sixty-five, and was killed or has died by reason of wounds or disease incurred in said service, or who, being at the time of his enlistment an inhabitant of this State, served as aforesaid to the credit of any other State between the said nineteenth day

of April and the eighteenth day of March in the year eighteen nundred and sixty-two, and was killed or has died by reason of wounds or disease incurred in said service, or to the wife, father, children or mother being in necessitous circumstances, (living or having a residence in said city or town, and now residing in this State), of any person upon whom they were dependent, who has served as aforesaid, who is wholly or partially disabled by reason of wounds received in said service, or by sickness or disability contracted therein, the sum of four dollars: *provided*, that the whole amount paid to the said relatives of one officer, soldier or sailor shall not exceed eight dollars per month; and provided that such wife, children, father or mother, do not receive aid from any other State, or from any other town under the provisions of this act.

SECT. 3. If a wounded or disabled officer, soldier or sailor, receiving aid under the first section of this act, shall marry after the passage of this act, no aid shall be paid on account of his wife. If the widow of any officer, soldier or sailor, receiving aid under the second section of this act, shall marry again, the aid shall be discontinued to her. No aid shall be paid on account of any children over fourteen years of age. If any person to whom the aid is paid shall be convicted of any criminal offence at common law or under the statute of this Commonwealth, said aid shall be discontinued to said person unless or until the municipal authorities shall, in their discretion, otherwise determine. Aid, except as provided in section twelve of this act, shall be paid only to persons having a residence in some city or town in this Commonwealth.

SECT. 4. All aid furnished under the provisions of this act shall be solely for the benefit of the person for whom it is intended, and shall be paid to said person directly or upon his or her order; and it shall not be subject to trustee process

nor assigned. And no transfer of said aid heretofore made shall be recognized in settlement of the same.

SECT. 5. The auditor, the adjutant-general and the surgeon-general of the Commonwealth, shall constitute a commission to decide upon all questions which may arise in the payment of aid, between the municipal authorities and the persons claiming the aid; and in all cases their decision shall be final.

SECT. 6. On or before the fifth day of January in each year, there shall be deposited in the office of the auditor of the Commonwealth, by each town and city raising and applying money as aforesaid, a full and particular report, setting forth the names of the officers, soldiers and sailors for the aid of whom and for the aid of whose families money has been applied as aforesaid, the name of the company and regiment and the name of the vessels in which such officers, soldiers and sailors respectively enlisted, and in which they last served, and the names and ages of the several persons for the aid of whom money has been applied as aforesaid; the relation such persons severally bear to such officers, soldiers or sailors; the sums paid to each of such persons, and the time when the same were paid; and such report shall be sworn to by a majority of the selectmen of such town, or by the mayor and a majority of the aldermen of such city; and after it has been examined and approved by said auditor, there shall be reimbursed annually, to said city or town, from the treasury of the Commonwealth, on or before the first day of December in the year in which the report is made, the amount legally paid as aforesaid, in accordance with the provisions of this act; but none of the expenses attending the payment of said aid shall be re-imbursed. The auditor of the Commonwealth shall before the first day of January in each year, furnish to the several cities and towns suitable blanks for the returns required by this section.

SECT. 7. When applicants for aid have their residence in a city or town to which they are not credited, notice of their application shall be forthwith sent by such town to the place to which said applicants are credited; and if an answer to such notice, setting forth all the facts touching the application necessary to be known by the town to which application is made, is not sent by mail within seven days from the receipt of the same, the city or town in which such applicants reside may recover in an action of contract against the town or city so neglecting to answer, all such sums as they may advance to such applicants not re-imbursed by the state.

SECT. 8. Persons receiving aid under chapter two hundred and thirty two of the acts of the year eighteen hundred and sixty-five, shall not be entitled to aid under this act; but when the aid ceases to be paid under said chapter two hundred and thirty-two, then such persons entitled under the provisions of this act, shall receive the aid provided herein, from the date that payments to them ceased under the prior act.

SECT. 9. Persons applying for aid under this act shall state in writing, under oath, the age and residence of the party for whom such aid is claimed; the relation of the claimant to the party who rendered the service for which aid is claimed; the company and regiment or the vessel in which the officer, soldier or sailor enlisted, and that in which he last served; the date and place of such enlistment, when known; the duration of such service; and the reason upon which the claim for aid is founded. And it shall be the duty of the auditor to furnish from time to time, to each city and town, a sufficient number of suitable blank forms for the use of applicants for aid under this act.

SECT. 10. The provisions of this act shall apply to the wife, children, father or mother (having a residence in some

city or town of this Commonwealth, and now residing therein) of any person who served in the army or navy of the United States between the nineteenth day of April eighteen hundred and sixty-one, and the first day of September eighteen hundred and sixty-five, as an officer or enlisted or drafted man, to the credit of the state of Massachusetts, and who appears on the rolls of his regiment or company, in the office of the adjutant-general, to be missing, or to have been captured by the enemy, and who has not been exchanged, or has not returned from captivity, or who is not known to be alive: *provided*, that aid shall not be paid to the said relatives of such officer, soldier or sailor, if the municipal authorities have good and sufficient reasons to believe that he deserted from the service, or that he is still living and wilfully absent from his family, or if said relatives receive said aid from any other state, or from any other town under the provisions of this act.

SECT. 11. Any town or city may raise money by taxation or otherwise, and, if necessary, apply the same for the purposes set forth in this act; and all persons entitled to aid under the provisions of this act, who do not apply for the same within three months from the passage hereof, shall not receive said aid prior to the date of their application.

SECT. 12. Any person who has served in the army or navy of the United States, as an officer or enlisted or drafted man, to the credit of the state of Massachusetts, between the nineteenth day of April in the year eighteen hundred and sixty-one, and the first day of September in the year eighteen hundred and sixty-five, and who resides in any other of the United States, and who, at the time of enlistment, had been a resident of the state during the month immediately preceding said enlistment, who is wholly or partially disabled by reason of wounds received in said service, or by sickness or disability contracted therein, may apply to the commission provided

for in the fifth section of this act, and upon furnishing to said commission satisfactory evidence of his service as aforesaid in the army or navy, shall be entitled to receive the sum of six dollars per month from the treasury of the Commonwealth, for the period of three years from the first day of January in the year eighteen hundred and sixty-six: *provided*, that said person has an honorable discharge from said service by reason of wounds or disability, or expiration of his time of service, or has been duly mustered out of said service, and does not receive aid from any other state. If any person entitled to receive aid under this section shall be convicted of any criminal offence at common law, or under the statutes of this Commonwealth or of any other state, such aid shall be discontinued to said person, unless or until said commission shall, in their discretion, otherwise determine.

SECT. 13. The operations of this act shall cease upon the first day of January in the year eighteen hundred and seventy-one.

SECT. 14. This act shall take effect upon its passage. [Approved April 23, 1866.

AN ACT IN ADDITION TO "AN ACT TO PROVIDE STATE AID FOR DISABLED SOLDIERS AND SAILORS AND THEIR FAMILIES, AND FOR THE FAMILIES OF THE SLAIN.

[Chapter 282, Acts of 1866.]

SECTION 1. The surgeon-general, under the direction and subject to the approval of the governor, is authorized to desig-

nate surgeons, in such places and in such numbers as he may find expedient, from time to time, and in like manner to vacate their appointments, who shall be authorized to examine all persons claiming to be disabled soldiers entitled to state aid under the one hundred and seventy-second chapter of the acts of the year eighteen hundred and sixty-six, whose certificates of disability being received and acted upon in good faith by the cities and towns, shall, as to the fact of disability be conclusive on the Commonwealth; and said certificates which shall state particulars in relation to such disability, agreeably to a form to be prescribed by the surgeon general, shall be returned to the state auditor, with the accounts for such aid as shall be paid thereon.

SECT. 2. The fee to be received by such surgeons shall in no case exceed one dollar; and the surgeon-general may establish a less fee, or a scale of fees, by official regulation.

SECT. 3. Any surgeon so designated who shall wilfully and corruptly make any false certificate concerning the disability of any such person, shall be deemed guilty of misdemeanor, and shall be punished by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars.

SECT. 4. Nothing herein contained shall affect the right of appeal to the commission constituted by the fifth section of the one hundred and seventy-second chapter of the acts of the year eighteen hundred and sixty-six.

SECT. 5. The provisions of chapter one hundred and seventy-two of the acts of eighteen hundred and sixty-six, so far as they are applicable, shall apply to the widow, and children under fourteen years of age, (now residing without the state), of any officer, soldier or sailor who served in the army or navy of the United States, to the credit of the state of Mass-

achusetts, between the nineteenth day of April eighteen hundred and sixty-one, and the first day of September eighteen hundred and sixty-five, and who died in said service, or who has since died by reason of wounds received or disease contracted while in said service: *provided*, that said soldier had been a resident of this state during the two months immediately preceding his enlistment; and *provided*, that said widow and children are in necessitous circumstances. The aid hereby provided, shall be paid as provided in section twelve of chapter one hundred and seventy-two of the acts of eighteen hundred and sixty-six.

SECT. 6. This act shall take effect upon its passage. [Approved May 29, 1866.

AN ACT CONCERNING STATE AID FOR DISABLED SOLDIERS AND SAILORS AND THEIR FAMILIES, AND THE FAMILIES OF THE SLAIN.

[Chapter 136, Acts of 1867.]

SECTION 1. No person shall be entitled to receive state aid under the provisions of section one of chapter one hundred and seventy-two of the acts of the year eighteen hundred and sixty-six, except upon satisfactory proof that the person so applying for aid is in the receipt of a pension from the United States; and the full amount of said aid shall only be paid to persons in the receipt of a pension equal to the full pension which is allowed to a person of the same rank or

grade, and to every other person so applying for aid, a proportionate part of said aid shall be paid, to be determined by the proportion which the pension received by him bears to the full pension which is allowed to a person of the same rank or grade: *provided, however*, that any person obtaining a pension from the United States after this act shall take effect, shall upon application, be entitled to receive the same amount of aid that he would have been entitled to receive had said pension been obtained prior to the time when this act shall take effect; and *provided, further*, that town and city authorities shall withhold the aid when, in their judgment any person who is in receipt of a pension from the United States, is not sufficiently disabled to prevent him from pursuing his ordinary and usual vocation.

SECT. 2. No person shall be entitled to receive aid under the provisions of section two of said chapter one hundred and seventy-two by reason of being dependent upon any person named or described in said section unless the person upon whom he was dependent was killed or has died by reason of wounds or disease incurred in the service described in said section or is or at the time of his death was in the receipt of a pension from the United States, equal in amount to one-half of the full pension which is allowed to a person of the same rank or grade: *provided, however*, that if the person upon whom the applicant was dependent shall obtain a pension from the United States after this act shall take effect, said applicant shall be entitled to receive the same amount that he would have been entitled to receive, had said pension been obtained prior to the time when this act shall take effect; and *provided, further*, that when any person who has heretofore received state aid is precluded therefrom by the provisions of this act, and the authorities of the cities or towns are satisfied that justice and necessity require a continuance of the aid to

prevent actual suffering, they are hereby authorized in such cases to continue the payment thereof; and upon reporting the facts in each specific case and showing by evidence satisfactory to the commissioners, the necessity of such payments, the sums so paid shall be reimbursed to such cities and towns out of the treasury of the Commonwealth.

SECT. 3. The reports to the auditor required to be made by section six of said chapter one hundred and seventy-two, shall hereafter be made quarterly, on or before the tenth days of January, April, July and October of each year: *provided*, that the return for July of the present year shall include the disbursements of the preceding six months.

SECT. 4. It shall be the duty of the commissioners constituted by section five of said chapter one hundred and seventy-two, to inspect all such returns, and whenever it shall appear by the inspection thereof, or otherwise, that the amount paid by the treasurer of any city or town under the provisions of said chapter one hundred and seventy-two, or of this act, for any quarter or greater period of time, is at a rate which if continued for one year would exceed the proportion of fifty per cent. of the state tax of such city or town for the previous year, or if for any reason the amount so paid shall appear to be unreasonably large, it shall be the duty of said commissioners to make or cause to be made an examination of the persons or claims of persons to whom the same has been paid and of the parties by whom said returns are made; and in all cases of any fraud, or neglect of duty on the part of the persons making such returns, or of the authorities of any city or town granting aid, said commissioners shall deduct from the amount claimed by any city or town, the amount paid to any person or persons when in their judgment the same should not have been paid under the provisions of said chapter one

hundred and seventy-two, and of this act, and shall certify the same to the treasurer and receiver-general, who shall reimburse to said city or town only the balance thus designated.

SECT. 5. Said commissioners may appoint, as occasion may require, one or more disinterested persons, not exceeding three in number, whose duty it shall be to make the examinations provided for in section four of this act, and make full returns of their doings to said commissioners. Such expenses as may be incurred in making said examination, including such reasonable compensation to the persons appointed under the provisions of this section for their services as shall be approved by the commissioners and allowed by the governor and council, shall be paid out of the treasury of the Commonwealth. No person shall be appointed to make such examinations in the county where he may reside.

SECT. 6. The treasurers of cities and towns may, under the direction of the city council or selectmen thereof, pay the sums due for aid to any officer, soldier, or sailor, or so much thereof as they may think best to the wife or family of such officer, soldier or sailor or for the benefit of such wife or family; and the amounts so paid shall be re-imbursed in the same manner as if paid to such officer, soldier or sailor in person.

SECT. 7. No appeal shall lie to the commission appointed by section five of said chapter one hundred and seventy-two, with regard to the aid provided for in section two of said chapter.

SECT. 8. Sections two and ten of said chapter one hundred and seventy-two, are hereby amended by striking out the word "father" wherever it occurs in said sections, and inserting before the word "mother" wherever it occurs in said sections the word "widowed."

SECT. 9. Section twelve of said chapter one hundred and

seventy-two, and chapter two hundred and eighty-two of the acts of the year eighteen hundred and sixty-six, are hereby repealed. The widows and orphan children who are now receiving aid under the provisions of said chapter two hundred and eighty-two shall continue to receive the same aid under this act, under the same conditions and restrictions as now exist. All persons who served in the regiments commonly known as "one hundred day regiments," and "three months regiments," and who come within the provisions of this act, shall receive the aid herein provided.

SECT. 10. This act shall take effect on the first day of May next. [Approved April 11, 1867.

AN ACT CONCERNING STATE AID FOR DISABLED SOLDIERS AND SAILORS AND THEIR FAMILIES, AND FOR THE FAMILIES OF THE SLAIN.

[Chapter 107, Acts of 1868.]

SECTION 1. The operation of chapter one hundred and seventy-two of the acts of the year eighteen hundred and sixty-six, and chapter one hundred and thirty-six of the acts of the year eighteen hundred and sixty-seven, so far as they provide for the payment of state aid to those who were dependent upon dead or disabled soldiers or sailors, be and hereby is extended to the first day of January, in the year eighteen hundred and seventy-one.

SECT. 2. This act shall take effect upon its passage. [Approved April 9, 1868.

AN ACT TO REPEAL SECTION THREE OF CHAPTER ONE HUNDRED AND THIRTY-SIX OF THE ACTS OF THE YEAR EIGHTEEN HUNDRED AND SIXTY-SEVEN, CONCERNING STATE AID.

[Chapter 115, Acts of 1868.]

SECTION 1. The third section of chapter one hundred and thirty-six of the acts of the year eighteen hundred and sixty-seven, is hereby repealed.

SECT. 2. This act shall take effect upon its passage. [Approved April 11, 1868.

OF THE PRESERVATION OF THE PUBLIC HEALTH.

[Chapter 26, General Statutes.]

SECTION 3. Every board of health may appoint a physician to the board, who shall hold his office during its pleasure.

SECT 4. The board shall establish the salary or other compensation of such physician, and shall regulate all fees and charges of persons employed by it in the execution of the health laws and of its own regulations.

SECT. 5. The board shall make such regulations as it judges necessary for the public health and safety, respecting nuisances, sources of filth, and causes of sickness, within its town, or on board of vessels within its harbor; and respecting articles which are capable of containing or conveying infection or contagion, or of creating sickness, brought into or

conveyed from its town, or into or from any vessel. Whoever violates any such regulation shall forfeit a sum not exceeding one hundred dollars.

SECT. 6. Notice shall be given by the board of all regulations made by it, by publishing the same in some newspaper of its town, or where there is no such newspaper by posting them up in some public place in the town. Such notice shall be deemed legal notice to all persons.

SECT. 7. The board shall examine into all nuisances, sources of filth, and causes of sickness, within its town, or in any vessel within the harbor of such town, that may in its opinion be injurious to the health of the inhabitants, and the same shall destroy, remove, or prevent, as the case may require.

SECT. 8. The board or the health officer shall order the owner or occupant at his own expense to remove any nuisance, source of filth, or cause of sickness, found on private property, within twenty-four hours or such other time as it deems reasonable after notice served as provided in the following section; and if the owner or occupant neglects so to do, he shall forfeit a sum not exceeding twenty dollars for every day during which he knowingly permits such nuisance or cause of sickness to remain after the time prescibed for the removal thereof.

SECT. 9. Such order shall be made in writing, and served by any person competent to serve a notice in a civil suit, personally on the owner, occupant, or his authorized agent; or a copy of the order may be left at the last and usual place of abode of the owner, occupant, or agent, if he is known and within the state. But if the premises are unoccupied and the residence of the owner or agent is unknown or without the state, the notice may be served by posting the same on the

premises and advertising in one or more public newspapers in such manner and for such length of time as the board or health officer may direct.

SECT. 10. If the owner or occupant fails to comply with such order, the board may cause the nuisance, source of filth, or cause of sickness, to be removed, and all expenses incurred thereby shall be paid by the owner, occupant, or other person who caused or permitted the same, if he has had actual notice from the board of health of the existence thereof.

SECT. 11. The board, when satisfied upon due examination that any cellar, room, tenement, or building, in its town, occupied as a dwelling place, has become by reason of the number of occupants, or want of cleanliness, or other cause, unfit for such purpose and a cause of nuisance or sickness to the occupants or the public, may issue a notice in writing to such occupants, or any of them, requiring the premises to be put into a proper condition as to cleanliness, or if they see fit requiring the occupants to remove or quit the premises within such time as the board may deem reasonable. If the persons so notified, or any of them, neglect or refuse to comply with the terms of the notice, the board may cause the premises to be properly cleansed at the expense of the owners, or may remove the occupants forcibly and close up the premises, and the same shall not be again occupied as a dwelling place without the consent in writing of the board. If the owner thereafter occupies or knowingly permits the same to be occupied without such permission in writing, he shall forfeit a sum not less than ten nor more than fifty dollars.

SECT. 12. When a person is convicted on an indictment for a common nuisance injurious to the public health, the court in their discretion may order it to be removed or de-

stroyed at the expense of the defendant, under the direction of the board of health; and the form of the warrant to the sheriff or other officer may be varied accordingly.

AN ACT CONCERNING OFFENSIVE TRADES.

[Chapter 263, Acts of 1865.]

SECTION 1. Whenever any person by mistake of law or fact or by accident fails to appeal from any order of any board of health and to apply to the superior court or any justice thereof for a jury within the three days limited therefor by section fifty-six of chapter twenty-six of the General Statutes, such person may at any time thereafter appeal from such order and apply for a jury with the same effect as if done within the said three days: *provided*, that such persons so appealing and applying shall make it appear to the court or justice that such failure was caused by mistake or accident; and *provided, also*, that such appeal and application shall be made within thirty days after service of such order upon such applicant.

SECT. 2. This act shall take effect upon its passage. [Approved May 16, 1865.

AN ACT TO PROVIDE FOR THE ABATEMENT OF NUISANCES.

[Chapter 211, Acts of 1866.]

SECTION 1. Any person aggrieved by the neglect or refusal of any board of health in any city or town to pass all proper orders abating a nuisance or nuisances in said city or town, may appeal to the board of county commissioners in the same county for a redress of such grievances, and the said commissioners shall have full power to hear and determine the matter of such appeal, and may make such decree and exercise and perform all the powers in such case as a board of health may exercise and perform in a town, as specified in chapter twenty-six of the General Statutes.

SECT. 2. The party so appealing shall, within twenty-four hours after such neglect or refusal by any board of health give written notice to the opposite party of his intention so to appeal, and within seven days after such neglect or refusal, shall present a petition to some member of the said board of commissioners, setting forth the grievances complained of, and the action of the board of health thereon, and shall thereupon enter into such recognizance before said board of commissioners, in such sum and with such surety or sureties as they shall order.

SECT. 3. The said commissioners, when acting under the provisions of this act, shall tax three dollars per day for time, and five cents a mile for travel to and from the place of meeting, to be paid into the county treasury; and such costs shall be in the first instance paid by the appellant, and said com-

missioners may award that such costs and any other costs of the proceeding shall be paid by either party, as in their judgment justice shall require.

SECT. 4. This act shall not affect any suit or proceeding now pending, nor shall it affect the jurisdiction of any court.

SECT. 5. This act shall take effect upon its passage. [Approved May 3, 1866.

AN ACT CONCERNING OFFENCES AGAINST THE PUBLIC HEALTH.

(Chapter 253, Acts of 1866.)

SECTION. 1. Whoever kills or causes to be killed, for the purpose of sale, any calf less than four weeks old, or knowingly sells, or has in his possession with intent to sell, the meat of any calf killed when less than four weeks old, shall be punished by imprisonment in the jail or house of correction not exceeding six months, or by fine not exceeding two hundred dollars, or by both such imprisonment and fine; and all such meat exposed for sale, or kept with intent to make sale thereof, may be seized and destroyed by any board of health, or health officer, or by any sheriff, deputy-sheriff, constable or police officer.

SECT. 2. When complaint is made on oath to any police court or magistrate authorized to issue warrants in criminal cases, that the complainant believes that any meat such as is described in the first section is kept or concealed in any par-

ticular house or place with the intent to sell or offer the same for sale, the court or magistrate, if satisfied that there is reasonable cause for such belief, shall issue a warrant to search for such meat; and all such warrants shall be directed and executed in the manner provided in the third section of the one hundred and seventieth chapter of the General Statutes.

SECT. 3. The second section of chapter one hundred and sixty-six of the General Statutes is hereby repealed.

SECT. 4. This act shall take effect upon its passage. [Approved May 23, 1866.

AN ACT IN RELATION TO BOARDS OF HEALTH.

[Chapter 271, Acts of 1866.]

SECTION 1. Boards of health in the several cities and towns in this Commonwealth, may appoint an agent or agents to act for them, respectively, in cases of emergency, or when such board cannot be conveniently assembled; and such agent so appointed shall have and may exercise all the authority which the board of health appointing him had; but he shall, within two days, report his action in each case to the board of health for their approval, and shall be directly responsible to and under the control and direction of the board of health from which he received such appointment.

SECT. 2. This act shall take effect upon its passage. [Approved May 28, 1866.

OF CEMETERIES AND BURIALS.

[Chapter 28, General Statutes.]

SECTION 4. Each town and city shall provide one or more suitable places for the interment of persons dying within its limits.

SECT. 5. Except in the case of the erection or use of a tomb on private land for the exclusive use of the family of the owner, no land, other than that already so used or appropriated, shall be used for the purpose of burial, unless by permission of the town or of the mayor and aldermen of the city in which the same is situated.

SECT. 6. Boards of health may make all regulations which they judge necessary concerning burial grounds and interments within their respective limits; may prohibit the use of tombs by undertakers, (as places of deposit for bodies committed to them for burial), for the purpose of speculation, and may establish penalties not exceeding one hundred dollars for any breach of such regulations.

SECT. 7. Notice of such regulations shall be given by publishing the same in some newspaper of the town, or city, or, if there is no such newspaper, by posting a copy in some public place therein; which shall be deemed legal notice to all persons.

SECT. 8. Before a tomb, burial ground, or cemetery, is closed by order of the board of health, for a time longer than one month, all persons interested shall have an opportunity to be heard, and personal notice of the time and place of hear-

ing shall be given to at least one owner of the tomb, to and three at least, if so many there are, of the proprietors of such burial ground or cemetery, and notice shall also be published two successive weeks at least preceding such hearing, in two newspapers, if so many there are, published in the county.

SECT. 9. The owner of a tomb aggrieved by the order of the board of health closing any tomb, burial ground or cemetery, may appeal therefrom, and at any time within six months from the date of the order enter his appeal in the superior court; and the appellant shall give the board of health fourteen days' notice of his appeal previous to the entry thereof. But the order of the board shall remain in force until a decision shall be had on the appeal.

SECT. 10. Appeals shall be tried in regular course before a jury, and if the jury find that the tomb, burial ground, or cemetery, so closed, was not a nuisance, nor injurious to the public health at the time of the order, the court shall rescind the same so far as it affects such tomb, burial ground, or cemetery, and execution for costs of the appeal shall issue in favor of the appellant against the town or city in which the same was situated. But if the order is sustained, execution shall issue for double costs against the appellant in favor of the board of health for the use of the town or city.

SECT. 11. For every interment in violation of section five in a town or city in which the notice prescribed in section seven has been given, the owner of the land so used shall forfeit not less than twenty nor more than one hundred dollars.

SECT. 12. Whoever wrongfully destroys, impairs, injures, or removes, a tomb, gravestone, building, fence, railing, or other thing, lawfully erected in or around a place of burial or cemetery, or a tree, shrub, or plant, situate within its limits; or wrongfully injures a walk or path therein, or places rubbish

or offensive matter within a place of burial or cemetery, or commits any nuisance therein, or in any way desecrates or disfigures the same, shall forfeit for every such offence not less than five nor more than one hundred dollars. Upon the trial of a prosecution for the recovery of such penalty, use and occupation for the purposes of burial shall be deemed sufficient evidence of title.

WATCHMEN.

(Chapter 23, General Statutes.)

SECTION 1. A city or town may establish and keep a watch and determine the number and qualifications of the persons to be employed for that purpose. The mayor and aldermen or selectmen shall appoint a suitable person to be officer of the watch, and direct the manner in which watchmen shall be equipped. The expense of the watch shall be defrayed in like manner as other town charges.

SECT. 2. The watch shall see that all disturbances and disorders are prevented and suppressed. During the night time they may examine all persons abroad whom they have reason to suspect of any unlawful design, demand of them their business abroad and whither they are going; may disperse any assembly of three or more such persons, and enter any building for the purpose of suppressing a riot or breach of the peace therein. Persons so suspected and not giving a satisfactory account of themselves, persons so assembled and not dispersing when ordered, and persons making, aiding, or

abetting in a riot or disturbance, may be arrested by the watch, and shall thereupon be safely kept, by imprisonment or otherwise, until the next morning, and then taken before a police court or some trial justice, to be examined and proceeded against.

SECT. 3. Officers and members of the watch, when on duty, may carry a club of not more than eighteen inches in length; shall wear such badge of office as the mayor or selectmen direct, and shall walk the rounds in and about the streets, lanes wharves, and principal inhabited parts of the city or town, to prevent danger by fire, and to see that good order is kept.

SECT. 4. The mayor and aldermen or selectmen of any place wherein no watch as above provided is established, may, from time to time, order a suitable watch to be kept in their place, and warn all persons liable to watch and ward duty to perform the same. They may direct the number of the watch, the places and hours for keeping the same, may order in writing any constable or officer of the watch to warn such watch, either by himself or by some person therefor by him appointed and to see that all persons so warned attend and perform their duty.

SECT. 5. Every male person of the age of eighteen years or upwards, being able of body, or having sufficient estate to hire a substitute, and not exempt, shall be liable to watch and ward in his city or town, and shall perform the duties, be subject to the liabilities, and have the powers of watchmen as the same are defined in this chapter.

SECT. 6. Justices of the peace, mayors, aldermen, selectmen, sheriffs, settled ministers of the gospel, and persons living more than two miles from the place where such watch and ward is kept, shall be exempt.

SECT. 7. Persons liable to watch and ward, and without reasonable excuse neglecting or refusing to appear and do

duty personally or by sufficient substitute, and constables or officers or members of the watch refusing to execute and observe proper orders, shall forfeit ten dollars, to be recovered by complaint to the use of the commonwealth, or by action of tort to the use of the city or town.

AN ACT RELATING TO POLICE OFFICERS AND WATCHMEN.

[Chapter 110, Acts of 1864.]

SECTION 1. Police officers and officers and members of the watch, in any city or town, when on duty, may carry such weapons as the mayor and aldermen of such city, or the selectmen of such town, shall authorize.

SECT. 2. This act shall take effect upon its passage. [Approved March 26, 1864.

AN ACT TO REGULATE FISHING IN MERRIMACK RIVER, AND FOR OTHER PURPOSES.

[Chapter 289, Acts of 1867.]

SECTION. 1. No person shall fish with a seine in Merrimack River, nor in any manner take or catch shad, salmon or ale-

wives in said river, until the fifteenth day of April in the year eighteen hundred and seventy-one, under penalty of the forfeiture of the seine and of five dollars for each shad or alewife and fifty dollars for every salmon taken: *provided*, that the fish commissioners shall be allowed from time to time to take such fish as may be required to re-stock the Merrimack or any other river.

SECT. 2. No person shall fish within four hundred yards of any fish-way on Merrimack River, nor trespass within the limits of the same, under a penalty of fifty dollars.

SECT. 3. The fish commissioners are hereby empowered to cause any tributaries of the Merrimack River to be opened to the passage of shad, salmon and alewives, by directing the proprietors of dams in such tributaries to build suitable fish-ways over their dams.

SECT. 4. The mayor and aldermen of any city and the selectmen of any town bordering on the Merrimack River shall appoint one or more suitable fish-wardens and fix their compensation, to see to the execution of the provisions of the first and second sections of this act. [Approved May 31, 1867.

AN ACT TO ESTABLISH A FIRE DEPARTMENT IN THE TOWN OF NEWBURYPORT.

SECTION 1. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by authority of the same:* That the Fire Department of the Town of Newburyport shall consist of a Chief Engineer, and as many Engineers, or Fire Wardens, not exceeding twelve in number, as the Selectmen of said town shall, annually, on the first Wednesday of April, appoint, who shall hold their office for

the term of one year, from the first of May next succeeding their appointment; also, of as many Enginemen, Hosemen, Hook and Laddermen, and Clothmen, as said Selectmen shall, annually, on the first Wednesday in April, or as soon after as may be, appoint, provided that the number of firemen so appointed shall not exceed fifty men to each and every Hydraulion; thirty five men to each and every common Engine; and five men to each and every Hose Carriage; that the number of Hook, Ladder and Clothmen shall not exceed fifty, and that the number of hosemen shall not exceed fifty.

SECT. 2. That the Selectmen of said town shall have power to fill any vacancy which may occur at any time in said Fire Department, give certificates of all appointments, and fix and ordain from time to time the powers and duties of the Chief Engineer and Engineers, or Fire Wardens, respectively, in relation to Fire Engines, and all other fire apparatus, belonging to, or used in said town, and also to fix and ordain, from time to time, such rules and regulations, as may be deemed expedient for the government of said Fire Department, and of the citizens present at fires, and to annex penalties for the breach of any rules or regulations that they may so fix and ordain, not exceeding twenty dollars.

SECT. 3. That the Chief Engineer and Engineers, or Fire Wardens, so appointed, shall have the same authority relative to demolishing or injuring any house, or other building, to prevent the spreading of fires in said Newburyport, and in all other matters relating thereto, as Fire Wardens now by law have; and said town shall be liable to pay to any person or persons, whose property may be so destroyed or injured by direction of said Chief Engineer or Engineers, or Fire Wardens, as the towns in said Commonwealth are now liable to pay in like circumstances, for the acts and directions of Fire

Wardens; and all fines and forfeitures arising in said town in pursuance of the existing laws of this Commonwealth, upon the subject, shall be appropriated in such manner, and for such purposes, as the said town, at any town meeting, duly warned for that purpose, shall determine, anything in said laws to the contrary notwithstanding.

SECT 4. That the members of said Fire Department shall be exempted from the performance of service in the militia of this Commonwealth, in like manner, and upon like conditions, as Enginemen are now exempted by law.

SECT. 5. That the Selectmen of said town of Newburyport are hereby authorized to call a meeting of the inhabitants of said town, to organize a Fire Department, agreeably to the provisions of this Act, by warning the inhabitants in the usual way of calling town meetings in said town, and by causing a notice thereof to be published in the Newburyport Herald, a public newspaper printed in Newburyport.

SECT. 6. That when the said town of Newburyport shall have fully organized a Fire Department, agreeably to the provisions of this act, and the same shall have been accepted by the inhabitants thereof qualified to vote in town affairs, in town meeting, for that purpose duly assembled, the same shall remain in force until modified or repealed by the Legislature of this Commonwealth; and all the laws relating to Fire Wardens and Enginemen in said town, which are inconsistent with the provisions of this Act, shall be, and are hereby repealed. [Approved by the Governor, March 5, 1830.

AN ACT CONCERNING DOGS, AND FOR THE PROTECTION OF SHEEP AND OTHER DOMESTIC ANIMALS.

[Chapter 130, Acts of 1867.]

SECTION 1. Every owner or keeper of a dog shall annually on or before the thirtieth day of April, cause it to be registered, numbered, described and licensed for one year from the first day of the ensuing May, in the office of the clerk of the city or town wherein said dog is kept, and shall cause it to wear around its neck a collar distinctly marked with its owner's name and its registered number, and shall pay for such license, for a male dog two dollars, and for a female dog five dollars.

SECT. 2. Any person becoming the owner or keeper of a dog not duly licensed, on or after the first day of May, shall cause said dog to be registered, numbered, described, and licensed until the first day of the ensuing May, in the manner, and subject to the terms and duties prescribed in this act.

SECT. 3. The clerks of cities or towns shall issue said licenses, and receive the money therefor, and pay the same into the treasuries of their respective counties, except in the county of Suffolk, on or before the first day of December of each year, retaining to their own use twenty cents for each license, and shall return therewith a sworn statement of the amount of moneys thus received and paid over by them. They shall also keep a record of all licenses issued by them, with the names of the keepers or owners of dogs licensed, and the names, registered numbers and descriptions of all such dogs.

SECT. 5. Any person keeping a dog contrary to the provisions of this act, shall forfeit fifteen dollars, to be recovered by complaint or indictment; and of said fine or forfeiture, five dollars shall be paid to the complainant, and ten dollars shall be paid to the treasurer of the county in which the dog is kept; except that in the county of Suffolk, the ten dollars shall be paid to the treasurer of the city or town wherein said dog is kept. A license from the clerk of any city or town shall be valid in any part of the Commonwealth and may be transferred with the dog licensed; *provided*, said license be recorded by the clerk of the city or town where such dog is kept.

SECT. 6. The assessors of the cities and towns shall annually take a list of all dogs owned or kept in their respective cities or towns, on the first day of May, with the owners' or keepers' names, and return the same to the city or town clerk, on or before the first day of July. Any owner or keeper of a dog who shall refuse to give just and true answers, or shall answer falsely to the assessors relative to the ownership thereof, shall be punished by a fine of not less than ten dollars, to be paid, except in the county of Suffolk, into the county treasury.

SECT. 7. Mayors of cities and the chairman of selectmen of towns shall annually, within ten days from the first day of July, issue a warrant to one or more police officers, or constables, directing them to proceed forthwith either to kill or cause to be killed all dogs within their respective cities or towns, not licensed and collared according to the provisions of this act, and to enter complaint against the owners or keepers thereof, and any person may, and every police officer and constable shall, kill or cause to be killed all such dogs whenever or wherever found. Such officers, other than those em-

ployed under regular pay, shall receive one dollar for each dog so destroyed, from the treasurers of their respective counties, except that in the county of Suffolk they shall receive it from the treasurers of their respective cities or towns. All bills for such services shall be approved by the mayor, or chairman of the selectmen, of the city or town in which said dogs are destroyed, and shall be paid from moneys received under the provisions of this act.

SECT. 8. Each police officer or constable to whom the warrant named in the preceding section shall have been issued shall return the same, on or before the first day of the October following, to the mayor or chairman of selectmen issuing the same, and shall state in said return the number of dogs killed, and the names of the owners or keepers thereof, and whether all unlicensed dogs in his city or town have been killed, and the names of persons against whom complaints have been made under the provisions of this act, and whether complaints have been entered against all the persons who have failed to comply with the provisions of this act.

SECT. 9. The mayors of cities and the chairman of selectmen of towns, shall annually, within ten days from the first day of October, transmit a certificate regularly subscribed and sworn to, of the fact of the issue of the warrant named in section seven, and whether the same has been duly executed and returned, agreeably to the provisions of this act, to the district-attorneys of their respective districts, whose duty it shall be to prosecute all such city, town, or county officers as fail to comply with the provisions of this act.

AN ACT IN ADDITION TO AN ACT CONCERNING DOGS.

[Chapter 250, Acts of 1869.]

SECTION 1. Moneys received by the treasurer of any county, under the provisions of chapter one hundred and thirty of the acts of the year eighteen hundred and sixty-seven, and not expended in the payment of damages done by dogs in accordance with the provisions of said act, shall be paid back to the treasurers of the several cities and towns of said county, in the month of January of each year, in proportion to the amount paid by said city or town to said county treasurer; and the moneys so refunded shall be expended for the support of public libraries or schools, in addition to the amount annually appropriated by said city or town for those purposes. In the county of Suffolk, moneys received by any treasurer of a city or town, under the provisions of said act, and not expended in accordance with the provisions of the same, shall be appropriated by the school committee of said city or town for the support of the public schools therein established.

SECT. 2. The last clause of section twelve of chapter one hundred and thirty of the acts of the year eighteen hundred and sixty-seven, is hereby repealed.

SECT. 3. This act shall take effect upon its passage. [Approved May 10, 1869.

BRIDGES.

AN ACT CONCERNING TOLL BRIDGES IN ESSEX COUNTY.

[Chapter 296, Acts of 1867.]

SECTION 1. The county commissioners of the county of Essex are hereby authorized and empowered to lay out as and for highways, the several bridges across Merrimack River, known as Andover Bridge and Lawrence Bridge, in the city of Lawrence; Haverhill Bridge, between the towns of Haverhill and Bradford; Rock's Bridge, between the towns of West Newbury and Haverhill; Essex Merrimack Bridge, between the towns of Amesbury and Newburyport; Newburyport Bridge, between the town of Salisbury and the city of Newburyport; Essex Bridge, between the city of Salem and the town of Beverly, or any of them, as highways, in the manner now provided by law for laying out highways: *provided, however*, that said county commissioners shall not lay out said Lawrence Bridge as a highway, without first purchasing, or offering to purchase, said Andover Bridge,

according to the provisions of chapter two hundred and sixty-five of the acts of the year eighteen hundred and fifty-four.

SECT. 2. All damages which shall be sustained by the proprietors of any of said bridges by such laying out, shall be awarded and paid in the same manner as is now provided by law for the assessment and payment of damages occasioned by the laying out of highways.

SECT. 3. Said county commissioners may, out of the moneys of said county, pay such proportion of the expense of said laying out said several bridges, or any of them, as in their judgment may be just and equitable.

SECT. 4. Upon the laying out of any of said bridges as highways as aforesaid, the said county commissioners shall determine and fix the relative proportions of expense for maintaining, keeping in repair and supporting any of said bridges, and for raising the draws in said bridges, if any, to be borne by said county, and any of the cities and towns lying near to, or contiguous to said bridges, or any of them, as in their judgment, may be just and equitable, which said proportion of expense so determined upon by said county commissioners, shall become obligatory upon said county and upon said cities and towns as aforesaid, to pay in the manner and at the times prescribed by said county commissioners.

SECT. 5. Said county commissioners shall at all times hereafter determine upon what terms and under what conditions horse railroads may pass on, over and across any of said bridges.

SECT. 6. The several cities and towns in said county, or any of them, may contribute to said county towards the payment of damages that may be awarded to the proprietors of said bridges, such proportion of said damages or such sums as they may see fit, and may make agreements with the said

county commissioners as to the amount or proportion, and as to the manner of payment thereof; and they may make such agreements either before or after such damages are awarded.

SECT. 7. Upon evidence satisfactory to the governor and council that any one of said bridges now or hereafter belonging to the Commonwealth has been laid out as a highway according to the provisions of this act, the governor shall by his proclamation declare such bridge free; and thereupon all the property of the Commonwealth in such bridge and in the appurtenances thereto, shall vest in said county and in said cities and towns contributing to the payment of damages in the laying out of such bridge as a highway; and all funds in the treasury of the Commonwealth on account of such bridge, shall be paid over to said county commissioners, and by them divided between said county and said cities and towns in proportion as said county and said cities and towns have paid and contributed towards the expense of laying out such bridge as a highway as aforesaid. [Approved May 31, 1867.

AN ACT CONCERNING THE SEVERAL TOLL BRIDGES IN ESSEX COUNTY.

[Chapter 309, Acts of 1868.]

SECTION 8. The county commissioners of the county of Essex shall, within sixty days after the passage of this act, lay out as and for highways the several bridges over the Merrimack River, known as Andover Bridge and Lawrence Bridge in the city of Lawrence; Haverhill Bridge, between the towns

of Haverhill and Bradford; Rock's Bridge, between the towns of West Newbury and Haverhill; Essex Merrimack Bridge, between the town of Salisbury and the city of Newburyport; Newburyport Bridge, between the town of Salisbury and the city of Newburyport; also the Essex Bridge over North River, between the town of Beverly and the city of Salem; in the manner now provided by law for the laying out of highways, and according to the provisions of chapter two hundred and ninety-six of the acts of the year eighteen hundred and sixty-seven, so far as the same are applicable. The said commissioners shall also determine and decree what proportion of the amount of damages sustained by the proprietors of said bridges, or of either or any of them, by such laying out, shall be paid respectively by the county of Essex and by the several cities and towns which the said commissioners shall determine are benefited by such laying out.

SECT. 9. This act shall take effect upon its passage. [Approved June 5, 1868.

DECREE OF THE COUNTY COMMISSIONERS LAYING OUT THE ESSEX MERRIMACK AND NEWBURYPORT BRIDGES AS PUBLIC HIGHWAYS.

NOTICE IS HEREBY GIVEN, That in pursuance of the three hundred and ninth chapter of the acts of the Legislature of 1868, the undersigned, County Commissioners of the county of Essex, have this day laid out the several bridges named below, as and for public highways, viz: Andover Bridge and

Lawrence Bridge, in the city of Lawrence; Haverhill Bridge, between the towns of Haverhill and Bradford; Rock's Bridge, between the towns of Haverhill and West Newbury; Essex Merrimack Bridge, between the town of Salisbury and the city of Newburyport; Newburyport Bridge, between the town of Salisbury and the city of Newburyport; and the Essex Bridge over the North river, between the town of Beverly and the city of Salem.

In testimony thereof we, the said County Commissioners, have hereunto set our hands, this fourth day of August, 1868.

A. D. WAIT,
JAMES KIMBALL,
J. B. SWETT. } County Commissioners.

COMMONWEALTH OF MASSACHUSETTS.

Essex, ss.

Court of County Commissioners, *July Term, A. D.*, 1868.

Whereas by an Act of the Legislature of Massachusetts approved June 5, 1868, and being chapter 309 of the acts of said year 1868, it was ordered and directed that the County Commissioners of said county of Essex, should within sixty days from the passage of said act lay out as and for highways, the several bridges named in the eighth section of said act, including therein the bridge known as Newburyport Bridge, between the city of Newburyport and the town of Salisbury:

And whereas further in pursuance of said act, said Commissioners duly notified all parties interested, and did on the 31st day of July, A. D., 1868, proceed to hear all parties interested.

Now on this fourth day of August A. D., 1868, we do lay out said Newburyport Bridge between the city of Newburyport and the town of Salisbury as and for a public highway, in conformity with the requirements of the acts of the legislature of said year 1868.

The charter of said Newburyport Bridge having expired, no damage is to be awarded.

It is hereby ordered, adjudged, and decreed that so much of said bridge as lies southerly of a line drawn three-quarters of the whole distance from the southern end of said bridge, being three-fourths of said bridge next adjoining to said Newburyport, shall be maintained, kept in repair and supported and the expense thereof and of raising the draw in said bridge shall be paid by said city of Newburyport; and that the remainder of said bridge, being one-fourth part thereof lying next to Salisbury aforesaid, shall be maintained, kept in repair and supported and the expense thereof shall be paid by said town of Salisbury.

In testimony whereof we the said County Commissioners have hereunto set our hands this fourth day of August in the year of our Lord one thousand eight hundred and sixty-eight.

A. D. WAIT,
JAMES KIMBALL,
J. B. SWETT,
} County Commissioners.

Essex, ss.

Court of County Commissioners,
July Term, A. D., 1868.

The foregoing report is filed and accepted, and thereupon

it is ordered that the same be recorded; that the said bridge may be known as a public highway forever.

Attest,

GEORGE R. LORD, Ass't Clerk.

Copy.

Attest,

GEORGE R. LORD, Ass't Clerk.

COMMONWEALTH OF MASSACHUSETTS.

Essex, ss.

Court of County Commissioners, *July Term, A. D.*, 1868.

Whereas, by an Act of the Legislature of Massachusetts approved June 5, 1868, and being chapter 309 of the acts of said year 1868, it was ordered and directed that the County Commissioners of said county of Essex should, within sixty days from the passage thereof lay out as and for highways, the several bridges named in the eighth section of said act, including therein the bridge known as the Essex Merrimack Bridge, between the city of Newburyport and the town of Salisbury in said county:—

And whereas further, in pursuance of said act, said County Commissioners duly notified all parties interested, and did, on the 31st day of July A. D., 1868, proceed to view said bridge and to hear all parties interested.

Now, on this fourth day of August A. D., 1858, we do lay out said bridge, known as Essex Merrimack Bridge, between the city of Newburyport and the town of Salisbury, as and for a public highway.

And having heard all parties interested, we do adjudge and estimate the damages sustained by the proprietors of said Essex Merrimack Bridge at the sum of thirty thousand dollars, to be paid in manner following, viz:

Ten thousand dollars shall be paid out of the county treasury.

Ten thousand dollars shall be paid by the city of Newburyport.

Five thousand dollars shall be paid by the inhabitants of the town of Salisbury.

Five thousand dollars shall be paid by the inhabitants of the town of Amesbury.

All of which sums shall be paid by said county, city, and towns to said proprietors, upon the laying out of said bridge as a public highway as aforesaid.

And whereas by the act aforesaid, it is ordered that said bridges shall be laid out as highways, in the manner provided by law and according to the provisions of chapter 296, of the acts of the year 1867, so far as the same are applicable, by which last named act, it was provided that said Commissioners should determine and fix the relative proportions of expense for maintaining, keeping in repair and supporting any of said bridges and for raising the draws in said bridges or any of them, to be borne by said county and any of the towns lying near to or contiguous to said bridges, as in their judgment may be just and equitable.

It is ordered, adjudged and decreed that so much of said Essex Merrimack Bridge as lies within the city of Newburyport shall be maintained, kept in repair and supported, and the expense thereof shall be paid by said city of Newburyport: and that so much of said bridge as lies within the town of Salisbury shall be maintained, kept in repair and supported by said town of Salisbury, but the expense thereof and of

raising the draw in said bridge shall be paid in equal moieties by said town of Salisbury and said town of Amesbury, and said town of Amesbury shall reimburse to said town of Salisbury one-half of the expense thereof.

In testimony whereof, we the said County Commissioners have hereunto set our hands this fourth day of August, in the year of our Lord one thousand eight hundred and sixty-eight.

A. D. WAIT,
JAMES KIMBALL,
J. B. SWETT,
} County Commissioners.

Essex, ss. Court of County Commissioners,
July Term, A. D., 1868.

The foregoing report is filed and accepted, and thereupon it is ordered that the same be recorded; that the said bridge may be known as a public highway forever.

Attest, GEORGE R. LORD, Ass't Clerk.

The foregoing is a true copy.

Attest, GEORGE R. LORD, Ass't Clerk.

COMMONWEALTH OF MASSACHUSETTS.

By His Excellency the Governor.

A PROCLAMATION.

WHEREAS, it is provided by an Act of our Legislature approved the fifth day of June, in the year one thousand eight hundred and sixty-eight, entitled "An Act concerning the Salem Turnpike and Chelsea Bridge and the several toll bridges in Essex county," that the County Commissioners of the county of Essex shall, within sixty days after the passage of said act, lay out as and for highways the several bridges over the Merrimack River: known as Andover Bridge and Lawrence Bridge, in the city of Lawrence; Haverhill Bridge, between the towns of Haverhill and Bradford; Rock's Bridge, between the towns of West Newbury and Haverhill; Essex Merrimack Bridge and Newburyport Bridge, between the town of Salisbury and the city of Newburyport; and also the Essex Bridge over North River, between the town of Beverly and the city of Salem, in the manner provided by law for the laying out of highways, and according to the provisions of an act of our legislature, approved the thirty-first day of May, in the year one thousand eight hundred and sixty-seven, entitled "An Act concerning Toll Bridges in Essex county," so far as the same are applicable.

And whereas, it is provided by said last mentioned act, that upon evidence satisfactory to the Governor and Council, that any one of said bridges belonging to the Commonwealth has been laid out as a highway according to the provisions of said act, the Governor shall by his proclamation declare such bridge free.

And whereas, the County Commissioners, of the county of Essex, have furnished evidence satisfactory to the Governor and Council, that on the fourth day of August instant, they did duly lay out as and for public highways all of said bridges, in accordance with the provisions of both of said acts. I do therefore hereby give public notice—inasmuch as the said Newburyport Bridge, over Merrimack River, between the town of Salisbury and the city of Newburyport, and the said Essex Bridge, over North River, between the town of Beverly and the city of Salem, are the property of the Commonwealth—that the said Newburyport Bridge and the said Essex Bridge have ceased to be toll bridges and are free.

Given at the Council Chamber, in Boston, this twenty-second day of August, in the year one thousand eight hundred and sixty-eight.

ALEXANDER H. BULLOCK.

By His Excellency the Governor.

OLIVER WARNER, *Secretary of the Commonwealth.*

SECRETARY'S DEPARTMENT, Boston, March 25, 1870.

A true copy of the original Proclamation.

Attest,

OLIVER WARNER, *Secretary of the Commonwealth.*

AN ACT IN RELATION TO BRIDGES OVER MERRIMACK RIVER.

[Chapter 421, Acts of 1869.]

SECTION 1. The four bridges over Merrimack River known as the Newburyport Bridge, the Essex Merrimack Bridge, Rock's Bridge, and Haverhill Bridge, shall be lighted, tended maintained, repaired, and kept in repair, by the several cities and towns charged with that duty by the award of the county commissioners which purported to lay them out as public highways, and in accordance with said award, until said award shall be finally set aside or sustained.

SECT. 2. An accurate account shall be kept of the expenses incurred under this act, and in case the award of said commissioners or their doings in laying out said bridges as public highways shall be set aside, or declared invalid by the supreme judicial court of this Commonwealth, said expenses shall be repaid, with interest, to the towns and cities which shall have incurred such expenses, by the county of Essex; and such towns and cities, or either of them, may maintain suits in law or in equity against said county to recover such sums of money, with interest, as they shall have expended under this act, in lighting, tending, maintaining and keeping in repair said bridges.

SECT. 3. The county commissioners of the county of Essex shall, within thirty days of the passage of this act, thoroughly inspect each of the four bridges mentioned in this act, and if, in their judgment, either of them shall be unsafe for public travel, then said commissioners shall, in writing, order such attendance, lighting and repairs, as they may deem necessary to the safety of travellers over said bridge; such order to be served by any officer competent to serve any civil pro-

cess upon the selectmen of such towns or the mayor and aldermen of such cities, as may be charged with the maintaining and keeping in repair of such bridge or bridges, by the award and decree of the county commissioners purporting to lay out such bridge or bridges as public highways; and after a reasonable time, to be specified in said order, such towns or cities, or either of them, which refuses or neglects to comply with such order, shall each be liable to a fine of fifty dollars, for each and every day until said order shall be complied with, and said bridge or bridges rendered safe for public travel.

SECT. 4. Compliance with the preceding section shall not be used in evidence against, or in any way affect or prejudice the rights of the parties concerned in any suit in law or in equity concerning the premises.

SECT. 5. Nothing in this act shall invalidate any obligation that the Eastern Railroad Company is under by any of the provisions of chapter two hundred twenty-eight of the acts of eighteen hundred and sixty-four, or any other law, or by any contract with any party or parties whatsoever; and all rights and claims the Commonwealth may have on the said railroad company, compelling them or requiring them to put in repair the said Newburyport Bridge, is in consideration of the duties imposed upon the said city of Newburyport by this act, hereby assigned and set over to the said city, and the said city of Newburyport may in their name and to their use, or in the name of the Commonwealth, recover in an action of contract any and all damages from said railroad company for neglect in not complying with the terms of any law or contract requiring them to keep in repair, and leave in good passable condition the said Newburyport Bridge.

SECT. 6. This act shall take effect upon its passage. [Approved June 21, 1869.

DECREE OF THE COUNTY COMMISSIONERS FOR THE REPAIR OF ESSEX MERRIMACK AND NEWBURYPORT BRIDGES.

COMMONWEALTH OF MASSACHUSETTS.

ESSEX SS. COURT OF COUNTY COMMISSIONERS,

August term, held by adjournment at Salem, Sept. 13, 1869.

Pursuant to the directions in Chapter 421 of the acts of 1869, and under the authority thereof, we the County Commissioners for said county, did on the seventh day of July last past, thoroughly and carefully inspect and examine the Newburyport Bridge and the Essex Merrimack Bridge named in said act, and found both of said bridges, in our judgment, unsafe for public travel, and thereupon we ordered notice to all parties in interest, returnable on the 27th day of August then next following, which is referred to and made part of this report, and on the said 27th day of August we met at the Court House in Newburyport, for the purpose of hearing the parties notified by said order, touching the several matters and things particularly specified and named therein; and none of said parties appearing, and it also appearing, that said order of notice had been duly served, we proceeded to consider the said several matters and things, having first obtained a report in writing of the present actual condition of said bridges, indicating the kind and extent of repairs necessary to make them passable, safe and convenient for the public use and travel from two practical and experienced bridgebuilders, a copy whereof was served on the city of Newburyport and the town of Salisbury and may be referred to as part of this report. And we do now make our report as to such attendance, lighting and repairs as in our judgment are necessary to the safety of travellers over both of said bridges.

In the matter of the Newburyport Bridge, to make the same safe for the public travel, we order and adjudge that the entire superstructure thereof except the drawbridges and that portion of the present bridge which covers what was the old draw-bridge on the Newburyport end, be renewed and rebuilt of suitable and sufficient materials, and in a substantial and workmanlike manner, and by such form and kind of structure as shall be adapted to such place and shall secure the safety of the public travel; and that the same be finished and completed to our satisfaction and acceptance on or before the first day of July, 1870. And further, that this be done by the city of Newburyport and the town of Salisbury, under the same apportionments as ordered and directed in the laying out of said bridge as a public highway, at our July term of 1868—the same to be referred to and made part of this report. And further, that the city of Newburyport adjust such draw-bridge to the main structure, do whatever is necessary to this end, and direct whatever attendance is needed for all purposes of a draw-bridge in such a place, as required by law. And further, that said city and town shall each cause their respective portions of said bridge as ascertained and determined aforesaid, to be sufficiently lighted at night in the manner and to the extent usual and customary in bridges of this length and description. All this we deem necessary to the safety of travellers over said bridge, and the orders as to attendance and charge of the draw and lighting the bridge are to be attended to and observed whenever, and so soon as the bridge is completed, accepted and opened for public travel.

In the matter of the Essex Merrimack Bridge, to make the same safe for public travel, we order and adjudge that repairs on the same be commenced without delay in the manner following: the truss bridge over the north channel is to be newly sheathed with two inch plank its entire length, and new

floor plank shall be supplied when needed. Two new stringers in the north leaf of the draw—also entire new stringers in that part of the bridge to which the north leaf of the draw is attached shall be put in, and the draw itself shall be newly sheathed.

The trestle at the south end of the chain bridge shall be entirely renewed. Sixteen of the hanging timbers in the north roadway, and twenty in the south, all 6x12 inches, being rotten, are to be replaced with new ones of like dimensions; also that three of the five floor timbers in each roadway, 5x10 inches, resting on the hanging timbers and running the whole length of the bridge, be renewed with new ones of like dimensions. Such portions of the planking as are sound may be used for one side of the roadway over the chain part of the bridge, the railing over the same to be made secure. The stone work in the north corner of the south abutment must be sufficiently repaired. The report of the bridge builders before referred to, which we adopt as the basis of the foregoing orders and directions as to the repairs of this bridge, may be referred to in explanation thereof; and if in the prosecution of the repairs as herein directed any unsoundness of timbers or other materials entering into the structure of the bridge shall appear or be disclosed, then all such unsound parts shall be removed and the place or places supplied with suitable and sufficient stock and materials, to the end that when said repairs are all completed—(and this we direct shall be done on or before the first day of January next) the bridge shall be safe, passable and convenient for the public travel.

And further, that this be done to our satisfaction and acceptance within the time specified by the city of Newburyport and the town of Salisbury, each doing the work and making the repairs in its own limits, as ordered and directed in the laying out of said bridge as a highway at our July term of 1868, reference thereto.

And further, that the town of Salisbury have charge of the draw-bridge and direct all necessary attendance thereat, as required by the statute in this behalf.

And further, that said town and city each cause their respective parts and portions of said bridge to be well and sufficiently lighted at night in the manner and to the extent customary and usual in bridges of this length and description. All this we deem necessary to the safety of travellers over said bridge; and the orders aforesaid as to the draw-bridge and lighting the whole bridge at night are to take effect immediately on the service of the order, under which copies of this report will be served on the parties in interest.

In testimony whereof we, the said County Commissioners, have hereunto set our hands this 13th day of September, 1869.

JAMES KIMBALL,
J. B. SWETT,
CHAS. P. PRESTON.

ESSEX, ss. COURT OF COUNTY COMMISSIONERS,

August term, 1869, *held by adjournment at Salem, Sept.* 13, 1869.

The foregoing report is filed and accepted, and thereupon it is ordered that the same be recorded, and that the same be served on the Mayor and Aldermen of Newburyport and on the Selectmen of Salisbury and Amesbury, by leaving with said Mayor and the Chairman of each Board of Selectmen, attested copies thereof.

Attest, A. HUNTINGTON, CLERK.

The foregoing is a true copy.

Attest, A. HUNTINGTON, CLERK.

CITY ORDINANCES.

No. 1.

AN ORDINANCE *to establish the City Arms and Seal.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. The arms of the city shall be the following, to wit: Quarterly: first, two light-houses, in the distance a ship under full sail; second, a steam mill; third, ship on the stocks; and fourth, (the seal of Newbury in England) on a mount, three domed towers, on each a penon; crest, a mural coronet, surmounted by two hands conjoined; supporters, two female figures, that on the dexter side representing America, and that of the sinister, Massachusetts; scroll Terra Marique.

SECT. 2. The seal of the city shall bear as a device the shield, crest and scroll of the arms of the city, with the legend, "City of Newburyport, A. D., MDCCCLI." [Passed September 1, 1851.

No. 2.

AN ORDINANCE *concerning City Ordinances.*

BE IT ORDAINED by the City Council of the City of Newburyport.

SECTION 1. All By-Laws passed by the City Council shall be termed Ordinances, and the enacting style shall be:--Be it ordained by the City Council of the city of Newburyport, as follows:

SECT. 2. All Ordinances shall be recorded by the city clerk, in a fair and legible hand, without interlineation or erasure, and in the order in which they shall be passed, in a book to be kept for that purpose, made of strong linen paper, with proper margins and index, and strongly bound, to be lettered Record of Ordinances of the city of Newburyport, which book shall be preserved in the office of the city clerk, subject to the inspection of the citizens.

SECT. 3. All Ordinances, and also any orders of the Mayor and Aldermen which the Mayor may deem advisable, shall be promulgated by causing the same to be inserted two weeks successively in one or more newspapers published in the city; and the Mayor may, in his discretion, cause any such Ordinance or order to be printed separately, and distributed among the citizens. [Passed July 1, 1851.

No. 3.

AN ORDINANCE *providing for the execution of Deeds in behalf of the City.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

The Mayor is hereby authorized and empowered to affix the

seal of the city unto, and to execute and deliver in behalf of the same, all deeds and other legal instruments required by any order of the city council. [Passed July 1, 1851.

No. 4.

AN ORDINANCE *prescribing the mode of appointment of certain City Officers.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

The mode of electing all city officers for which provision is not otherwise made, either by the laws of the Commonwealth, or by some other ordinance of the city, shall be as follows, to wit: They shall first be elected by the mayor and aldermen, and sent down to the common council for its concurrence, rejection, or amendment. [Passed July 27, 1851.

No. 5.

AN ORDINANCE *concerning the Form of Warrants, and the manner of Serving, Executing and Returning the same.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. The form of warrants for calling meetings of the citizens of the several wards, shall be as follows, viz:

CITY OF NEWBURYPORT.

To either Constable of said city, Greeting:

In the name of the Commonwealth of Massachusetts, you are hereby required forthwith to warn the citizens of Ward No. —, qualified to vote as the law di-

rects, to assemble at ———— on ———— the —— day of ——— at — o'clock in the forenoon, then and there to give in their ballots for ———

Hereof fail not, and have you there this warrant with your doings thereon.

[Seal.] Witness, ————, Mayor of said city of Newburyport, this — day of ———, in the year of our Lord one thousand eight hundred and ——.

By order of the Mayor and Aldermen.

————, City Clerk.

SECT. 2. The form of warrants for calling general meetings of the citizens, shall be as follows, namely:

CITY OF NEWBURYPORT.

To either of the Constables of said city:

In the name of the Commonwealth of Massachusetts, you are hereby required forthwith to warn the citizens of Newburyport, qualified to vote as the law directs, to assemble in general meeting at City Hall, on ————, the — day of ———, at — o'clock, then and there to ——.

Hereof fail not, and have you there this warrant with your doings thereon.

[Seal.] Witness, ————, Mayor of our City of Newburyport, on this — day of ——, in the year of our Lord one thousand eight hundred and ——.

By order of the Mayor and Aldermen.

————, City Clerk.

SECT. 3. All warrants, whether for calling general meetings, or meetings of the several wards, shall be issued by the mayor and aldermen, four days at least before the holding of the same; they shall be signed by the city clerk, and they shall be served by either constable of the city by leaving a copy thereof at the residence of each citizen qualified to vote at the meetings called thereby, by posting a copy thereof in a suitable public place, or by publishing the same in one or more of the newspapers of the city, as the mayor and aldermen may direct. And the constable to whom any warrant shall be delivered for service, shall seasonably return the same with his doings thereon, to the mayor and aldermen, if it be for a general meeting, otherwise to the warden of the ward named therein.

SECT. 4. It shall be the duty of the mayor and aldermen

to fix the time when the poll shall be opened and closed, in the election of all officers except ward officers, and to insert the same in the warrant for the meeting. [Passed July 1, '51.

No. 6.

AN ORDINANCE *to provide for the Appointment of an Assistant City Clerk.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. The office of Assistant City Clerk of the City of Newburyport is hereby established under and by virtue of the provisions of Chapter Seventy-Two of the Acts of the year eighteen hundred and sixty-nine.

SECT. 2. There shall annually, in the month of January, if the City Council in convention shall so determine, or at any time during the municipal year to be determined by the concurrent vote of the two branches of the City Council, be elected by a joint ballot of the City Council in convention, an Assistant City Clerk, whose term of office shall continue from and after the time of his election until the first Monday of January next succeeding it.

SECT. 3. He shall have all the duties and powers now belonging to the office of the City Clerk of said city to be exercised in cases of sickness and absence of the City Clerk, and of vacancies in the office, and also in cases of the presence of the City Clerk, but then under his superintendence and direction. He shall receive for his services as Assistant City Clerk such compensation as the City Council shall allow.

SECT. 4. The Assistant City Clerk shall give bonds with

sufficient sureties in the sum of three thousand dollars for the faithful performance of all his duties as such Assistant City Clerk.

SECT. 5. This ordinance shall take effect upon its passage. [Passed October 15, 1869.

No. 7.

AN ORDINANCE *concerning the Assessment and Collection of Taxes.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. The city treasurer shall be the collector of taxes, and of all rents and other sums payable to the city not otherwise specially provided for.

SECT. 2. The assessors shall make their valuation of estates, and complete the assessment of taxes, and place a list thereof in the hands of the collector, on or before the twentieth day of June in each year.

SECT. 3. The assessors, if they shall abate any tax, wholly or in part, shall keep a record thereof in a book to be provided for that purpose, which record shall contain the name of the person whose tax shall be so abated, the amount abated, and the reason for such abatement; and they shall lay such record before the City Council in the last week in November, annually.

SECT. 4. The collector shall, within thirty days after the assessors shall have placed any list of taxes in his hands for collection, deliver to every person on whom any tax shall have been assessed, or leave at his usual place of residence, or

business, a bill of such taxes, which shall be equivalent to a special demand of payment thereof by the collector; and in case any such tax shall be due and unpaid on the first day of November in each year, the treasurer shall issue a summons to the person or corporation owing such tax, and if said tax be not paid within ten days after the service of said summons, a warrant shall be issued for the collection of the same according to law.

SECT. 5. The collector shall, within the municipal year for which he is chosen, collect all taxes committed to him, from all persons against whom he shall have any tax, and who shall be resident in, or have sufficient goods or estate within the city, and he may for this purpose pursue any of the remedies by law in such cases provided.

SECT. 6. The collector may make such discounts, for prompt payment of tax bills, as may from time to time be prescribed by the city council. [Passed July 1, 1851.

No. 8.

AN ORDINANCE *providing for the Appointment of a Clerk of the Board of Overseers of the Poor, and prescribing the duties of the same.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. The Board of Overseers shall annually, in the month of January, choose a Clerk; not a member of their Board, removable at their pleasure, whose salary shall be fixed by the City Council.

SECT. 2. It shall be the duty of said clerk to perform all

those duties required of the present clerk of the overseers, and such others as may be required of him by the provisions of this ordinance or by the Board of Overseers.

SECT. 3. Said clerk shall perform the duties of Clerk of the Alms House, he shall make all purchases, except such as pertain to the city store, and collect all dues pertaining to this department, under the direction of the Board: shall keep their accounts and those of the Alms House and submit them for their approval; and all bills against the city treasury connected with this department shall, after approval by the Board, be laid before the Committee of Accounts for their approval before being paid by the City Treasurer.

It shall further be his duty to receive all applications for relief, and to this end he shall hold office at stated times either at the Alms House or such other place as the overseers may designate, and he shall investigate the same and report the result of each investigation to the Board; he shall keep a record, properly indexed, of all cases of persons receiving aid from the city and of how the same have gained a settlement; he shall also keep a record of all persons not having a residence in Newburyport and who may in any way be assisted by the city in order that proper charges for the same may be recovered from those liable for their support, and also of those having a settlement here who are receiving aid from other places. [Passed December 3, 1866.

No. 9.

AN ORDINANCE *establishing the Office of City Messenger.*

BE IT ORDAINED, by the City Council of the City of Newburyport as follows:

SECTION 1. There shall annually, in the month of January,

be elected by a joint ballot of the City Council in convention, a suitable person to be styled City Messenger, who shall receive, deliver, and execute all notifications, summonses and precepts issued by the Mayor, the President of the Common Council, the City Council, or either branch thereof, or by any committee of the same, and make due return thereof. He shall prepare and arrange the rooms in which the City Council shall hold their sessions, and attend on both branches when in session, or on either when in session separately, and, under the direction of the proper committees or officers, provide fuel, lights and other things necessary for the accommodation of both branches of the City Council or any committee thereof. He shall receive and deliver all notifications to officers elected by the City Council, by the Mayor and Aldermen, or at ward meetings, and he shall deliver all notifications to committees of the City Council upon the request of the City Clerk, Clerk of the Common Council, or Chairman of any committee of the City Council, or of the Mayor and Aldermen, or of the Common Council. He shall have the superintendence of the City Hall and the adjoining rooms, and keep all the rooms in the City Hall building, including the City Hall, entries, and stairs, in good order and condition, clean and ready for use. He shall move the settees, keep them clean and ready for use, and erect and remove stages in and from said City Hall building as occasion may require. He shall remove within twenty-four hours after the ceasing to fall of the same, all the snow which may fall on the sidewalks adjacent to said building and the paths about the same. He shall receive for his services such compensation as the City Council shall annually or from time to time allow.

SECT. 2. This Ordinance shall take effect upon its passage, and all ordinances establishing the office of City Messenger, and all ordinances in addition thereto heretofore passed, are

hereby repealed, provided that such repeal shall not in any manner affect any rights which may have been acquired by any party under said ordinances or any of them, or any appointments or elections heretofore made, or any acts done under and by virtue of said ordinances or any of them. [Passed October 15, 1869.

No. 10.

AN ORDINANCE *authorizing the Appointment and prescribing the duties of City Marshal and Assistants:*

BE IT ORDAINED, by the City Council of the City of Newburyport as follows:

SECTION 1. The Mayor and Aldermen shall forthwith, and hereafter, annually, in the month of January or February, appoint a City Marshal who shall receive such compensation for his services as the City Council shall direct.

SECT. 2. Said City Marshal shall be appointed to the office of Constable, and he shall have precedence and command over the other constables whenever engaged in the same service, or when directed thereto by the Mayor and Aldermen. And the said City Marshal, before entering upon the duties of his office, shall be sworn to the faithful performance of the duties thereof, by the Mayor; he shall also give bonds, in a sum not less than five hundred dollars, with sufficient sureties, for the faithful performance of the duties of said office.

SECT. 3. It shall be the duty of the City Marshal and of his assistants to pass from time to time through the streets and alleys of the city with a view to remove, by prosecution or otherwise, all nuisances, obstructions and impediments therein; he shall receive all complaints for any violation of

the laws in relation to the city and of the ordinances and by-laws thereof, and for that purpose shall attend daily, at some stated time, in one of the public offices in the city, to be designated by the Mayor. He shall prosecute all offenders against such laws, ordinances and by-laws, as soon as may be, and shall take all proper measures to enforce and carry into effect, all and every section of the city ordinances and by-laws; he shall obey and execute all the orders and commands of the Mayor and Aldermen, in relation to any matter or thing concerning the city, and shall comply with all such regulations as may by them at any time be prescribed; he shall keep a correct record of the doings of his office and shall make a regular report thereof to the City Council, once in three months and at such other times as they shall require, which report shall contain an exact account of all fees received by him or his assistants for services of process either civil or criminal, and all other fees which he or they may have received or to which he or they may be entitled, as executive officers, complainants, witnesses or otherwise. This report shall also contain a full statement of all prosecutions instituted in the Police Court of this city, for offences committed within its limits, either against the laws of the State or the by-laws and ordinances of the city, and the statement shall discriminate between those prosecutions founded upon the complaints of the City Marshal and any of his assistants or constables of the city and those founded upon the complaints of other persons. The City Marshal shall receive, collect and pay over to the Treasurer of the city, all fines and penalties incurred for a violation of its by-laws and ordinances.

SECT. 4. All fees of whatsoever nature or kind accruing to the City Marshal or his associates, either as officers, complainants or witnesses in criminal business, shall be paid into the City Treasury for the use of the city.

SECT. 5. The Mayor and Aldermen may at any time, by vote, remove from the office, the City Marshal or either of his assistants, and thereupon, or in case of his or their death or resignation, proceed to appoint a successor or successors for the residue of the year.

SECT. 6. This ordinance shall take effect upon its passage, and all ordinances heretofore passed authorizing the appointment and prescribing the duties of City Marshal and assistants are hereby repealed, provided such repeal shall not in any manner affect any rights which may have been acquired by any party under said ordinances or any of them or any appointment of a City Marshal made under and by virtue of said ordinance or either of them, or any acts done under and by virtue of said ordinances or any of them. [Passed September 6, 1869.

No. 11.

AN ORDINANCE *concerning Constables.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. The Mayor and Aldermen may appoint such number of constables for the service of civil precepts as they shall deem proper, who shall be qualified by giving bonds according to law, which constables shall be entitled to all fees received by them for the service of civil processes; but all fees received by them for services in criminal cases shall be paid into the city treasury, except for services during the absence from the city, or sickness of the city marshal or his assistants, or when called upon to perform the service by him or them.

SECT. 2. The constables of the city shall, in case of fire

within the city, repair to the place where the fire may be and attend diligently to the preservation of the public peace, and the prevention of thefts, and of the loss or destruction of property. [Passed March 1, 1858.

No. 12.

AN ORDINANCE *establishing a Night Watch for Preserving the Safety and Good Order of the city.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. The mayor and aldermen are authorized and required, annually, in the months of January or February, to appoint such number of persons to be watchmen by night in the city of Newburyport, as they shall judge expedient, and to remove the same at their discretion, and to designate one of said watchmen to be officer of the watch.

SECT. 2. The officer of the watch and the other watchmen appointed by virtue of this ordinance shall have all powers and perform the duties enacted in reference to such officer and watchmen by the general statutes of the commonwealth, and shall receive directions as to the hour of setting and closing the watch, and all other matters appertaining to their office, from the mayor and aldermen.

SECT. 3. The said officer of the watch, and other watchmen, shall receive such compensation for their services as the mayor and aldermen shall from time to time establish. [Passed May 20, 1861.

No. 13.

AN ORDINANCE *to establish a Board of Health and to prescribe Regulations concerning the same.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. The Mayor and Aldermen of the city are hereby constituted a Board of Health, in and for the same, with full power to regulate quarantine, provide for accidents of contagion or infection, remove nuisances or other causes of disease or impurity of air, and generally to possess the powers and perform the duties of boards of health as defined by the laws of the commonwealth.

SECT. 2. Any place of deposit for house, shop or other rubbish or refuse matter, and any drain, privy or vault in any part of the city which shall appear to the board of health to be unfit, insufficient or not properly situated, constructed or cleansed, and any cellar or vacant ground and any hog-pen or deposit of manure in the compact part of the city may, in the discretion of said board, be declared and deemed a public nuisance, and as such, be held subject to all the provisions concerning the removal or abatement of the same provided by the general laws of the Commonwealth.

SECT. 3. No vault or privy shall hereafter be constructed so that the inside thereof shall be less than three feet distant from the land of an adjoining proprietor without his consent, nor less than six feet from any public street or way; and if constructed at a less distance in either case, the same shall be deemed a public nuisance and treated as such, and no person shall remove the contents of any vault or privy or any portion of said contents without first obtaining permission in writing from some member of the board of health, who in such

permission shall express the time and manner of such removal Nor shall said contents or any portion thereof be removed in any other way or manner or at any other time than shall be expressed in such permission.

SECT. 4. No person shall cast any dead animal, fish entrails, decayed vegetables, house or other rubbish, or any other foul or offensive matter into any pond within the city, or into any dock or landing place within the city or any of the waters of the river or sea adjacent thereto, except at a point below low water mark or at such place or places above the same as may be designated by the board of health.

SECT. 5. It shall be the duty of the City Marshal, under the direction of the mayor and aldermen, to see the execution of the laws of the Commonwealth and of all the ordinances and rules of the City Council having relation to the health of the city, for which purpose he shall at any time between sunrise and sunset have power to enter any inclosure, building, or vessel, when thus ordered by the board of health.

SECT. 6. [This ordinance shall take effect upon its passage, and all ordinances to establish a board of health and to prescribe regulations concerning the same heretofore passed and all rdinances in addition thereto heretofore passed, are hereby repealed, provided that such repeal shall not in any manner affect any rights which may have been acquired by any party under said ordinances or any of them, or affect any of the acts, rules, regulations, or appointments of the board of health, now existing by virtue of said ordinances or any of them. [Passed September 6, 1869.

No. 14.

AN ORDINANCE *for the Prevention of certain acts in the Streets and on the Public Grounds of the city.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. No person except a surveyor of highways, or other person acting under the authority of the legislature, or of the city council, shall break or dig up the ground or stones in any street, or other way of the city, or erect any staging for building, nor deposit any stones, bricks, timber or other building material thereon, without license first had and obtained from the mayor and aldermen, who are authorized to grant the same on such condition as they deem safe and proper.

SECT. 2. No person shall make, erect or maintain any door-step, porch, entrance, or passage-way to any cellar or basement, or any bridge or crossing-stone over any gutter or other structure in or upon any street or other way of the city, without permission in writing from the mayor and aldermen, who shall judge of the propriety of granting the same.

SECT. 3. No person shall suffer his well, cistern or drain, to remain open or uncovered in any street or other way of the city, without a sufficient curb, guard or fence thereto, nor dig or sink any excavation of the earth, nor suffer any excavation to exist on his own premises adjoining or near to any street or way, unless the same be enclosed by a railing or fence for the safety of passers by.

SECT. 4. No person shall continue any carriage or other vehicle of any description, with or without horses or other animals attached thereto in any street or other way of the city so as to obstruct the same, after having been requested by any person having occasion to use such street or way, or after hav-

ing been ordered by the Mayor or City Marshal, or any one authorized by the city, to remove the same.

SECT. 5. No person shall drive, draw, or pass any cart, wheelbarrow, carriage, (except children's hand carriages and drawn by hand), sled, or other vehicle, on any sidewalk of the city, nor permit any horse or other draught animal, or any cow, to pass thereon, while under his care; nor occupy, encumber, or obstruct, any street by means of boxes, crates casks, barrels, or other things, or in any other way hinder or obstruct the convenient use of the streets and other ways by all passengers.

SECT. 6. No person shall stop his team or carriage, or place any other obstruction on or across any flag stones or other foot ways, which have been or shall be laid in any street or way of the city.

SECT. 7. No person shall ride or drive any horse or other draught animal attached to any carriage or other vehicle, in or upon any of the streets or ways of the city for public travel at a rate of speed inconsistent with the public safety, or the convenience and safety of any person or persons passing or re-passing over any of said streets or ways, and any person riding or driving a horse or other draught animal in any street or way of the city shall conduct the same with reasonable care and prudence so as not to endanger the public safety.

SECT. 8. No person shall put or place, or cause to be put or placed, in or upon any street, way, pond, or other public place of the city, any house dirt, ashes, shavings, offal, carrion, filth, suds, shreds, shells, stones, or any rubbish or like object whatever, except in such places and manner as the mayor and aldermen shall prescribe.

SECT. 9. No person shall put or place any snow, ice, or other material in any gutter in any of the streets of the city,

where a culvert has been or shall hereafter be constructed, so as to prevent the free passage of water into such culvert.

SECT. 10. No person shall suffer his coal or firewood to remain unnecessarily in or upon any street or other way of the city; and no person shall saw or pile wood, or stand a sawhorse on any side-walk, to the hindrance or obstruction of any foot passenger.

SECT. 11. No person shall move, or assist in moving, any building whatever, through any street or other way of the city, unless by written permission of the mayor and aldermen, under such restrictions as they may prescribe.

SECT. 12. No person shall swim or bathe without clothes on his person, at or in view of any public landing, nor in any such places as are exposed to view from the public streets, nor so as unnecessarily to annoy the occupants of dwelling houses.

SECT. 13. No person shall expose for sale or use, any implements of gambling in any public place of the city, nor gamble in any such place.

SECT. 14. No person shall place or maintain any table, tent, stall, booth, or other erection in any public place, for any sale or exhibition, without permission of the mayor and aldermen.

SECT. 15. No person shall fire any rocket, squib, cracker, or other thing formed of gunpowder or other explosive substance, in whole or in part; nor make any bonfire of tar barrels or any other substances, nor, except in the performance of some duty authorized by law, discharge any field piece, gun or other firearm in or upon any street or other way, or upon any wharf or landing within the city.

SECT. 16. No person shall behave himself in a rude or dis-

orderly manner, nor use indecent, profane, or insulting language, nor designedly frighten any horse; nor, within the compact part of the city, shoot with bow and arrows, play at ball, coast on sleds, fly kites, throw stones or other missiles, in any street or other public place, nor be on any sidewalk, door step, fence or porch, to the annoyance of other persons.

SECT. 17. No person shall make indecent figures, or write indecent words upon any fence, building, post, tree, or other object, or otherwise deface or injure the same.

SECT. 18. No person shall suffer any cellar door or other passage way from the street to a cellar under his control, to remain open except when in immediate use, nor suffer any spout under his control to cast water upon the heads of passengers upon any sidewalk, nor extend any awning beyond the sidewalk, nor place any awning over any sidewalk so that the lowest part of such awning shall be less than seven feet in height above the sidewalk.

SECT. 19. No person shall remove or erect any post in any street or public way, or on any of the public grounds within the limits of the city, nor change the grade of any such street, way or grounds, or of any sidewalk of such street or way or ground, or the width of any such sidewalk, or in any manner alter the grade, width or direction of any path or way running across any of such grounds or the direction of any curb stone of such sidewalk without permission of the mayor and aldermen, and no person shall change the direction or position of any fence or building adjoining any such street, way, or any of such grounds.

SECT. 20. No person shall tie or cause to be tied, any horse or other beast to any tree within the limits of the streets, public ways or public grounds, within the limits of the city.

SECT. 21. No horse shall be turned out loose, and no horse,

ass, mule, swine, goat, sheep, cow, or other cattle, shall be suffered to graze or go at large in any street, public way, or in any of the public grounds within the limits of the city.

SECT. 22. No person shall take hold of or ride on the back of any chaise, sleigh, or other vehicle, while the same is passing in any street or public way within the limits of the city, without permission of the owner or driver thereof.

SECT. 23. No persons shall remain collected on any sidewalk or in front of any church, dwelling-house or other building within the limits of the city, so as to obstruct passage along the same, or to impede or annoy other persons.

SECT. 24. No person shall cut or cause to be cut, any ice from Frog Pond or any holes in the ice at a greater distance from the margin of said pond than is necessary for the watering of horses, cows or other animals.

SECT. 25. No person shall wash any horse or horses, cows or other cattle, or any carriage or carriages in Frog Pond.

SECT. 26. Any person who shall offend against any of the provisions of this ordinance shall forfeit and pay for each offence a fine of not more than twenty dollars: provided that the complaint for such offence be instituted within three months from the time of its commission.

SECT. 27. This ordinance shall take effect upon its passage and all ordinances for the prevention of certain acts in the streets and on the public grounds of the city, and all ordinances in addition thereto heretofore passed, are hereby repealed; provided that such repeal shall not in any manner affect any prosecutions for a breach of any provision of any of said ordinances now pending, or any licenses or permissions now granted by the mayor and aldermen, or any acts to be done under such licenses or permissions granted by virtue of said ordinances or any of them. [Passed October 15, 1869.

No. 15.

AN ORDINANCE *concerning the Removal of Snow from the Sidewalks of the city.*

BE IT ORDAINED by the City Council of the City of Newburyport.

SECTION 1. The tenant and in case there be no tenant, the owner, of any building or occupied lot of land, including all corporations bordering on any of the streets or squares hereinafter named, shall within twenty-four hours after the ceasing to fall of any snow, cause the same to be removed from the sidewalks in front of said buildings or land: High street, easterly side from Jefferson street to Marlborough street; westerly side from Johnson street to Auburn street and from State street to Coffin's Court; Ashland street, southerly side from High street to Merrimack street; Forrester street, southerly side from High street to Merrimack street; Kent street, from Monroe street to Merrimack street; Congress street, Olive street, Boardman street, Strong street, Market street, Winter street, Merrill street—north-west side; Warren street, Monroe street—easterly side from Kent street to Oakland street; Titcomb street; Berry street—easterly side; Washington street, Green street, Brown Square—easterly and westerly sides; Pond street—westerly side from State street, to Newburyport Railroad Depot; Park street; State street from High street to Market Square; Harris street; Pleasant street; Water street from Market Square to Marlborough street; Merrimack street from Market Square to Ashland street—on the westerly side and from Market Square to opposite Oakland street on the easterly side; Market Square; Liberty street—easterly side from Market Square to Federal street—westerly side from Market Square to Fair street; Middle street; Temple street—easterly side; Prospect street—easterly side; At-

wood street—easterly side; Franklin street—north-westerly side; Madison street—north-westerly side; Essex street, Charter street, Fruit street, Federal street, Spring street, Orange street, Lime street, Beck street, School street, Milk street, Roberts street, Newbury street, Charles street, Purchase street from Lime street to Madison street, Fair street.

Such tenant or owner, whenever any ice shall have been formed upon said sidewalks, shall also cause them to be made safe and convenient by removing the ice therefrom or, by covering the same with sand, ashes, or some other suitable substance.

SECT. 2. If any person shall violate any of the provisions of this ordinance he shall forfeit for such offence a sum not exceeding twenty dollars.

SECT. 3. All ordinances concerning the removal of snow from the sidewalks of the city, and all ordinances in addition thereto heretofore passed are hereby repealed, provided that such repeal shall not in any manner affect any rights which may have been acquired by the city or any party under said ordinances or any of them, or in any manner relieve any person or persons from any liability which may have arisen by any omission to perform the acts required by said ordinances, or any of them. [Passed September 6, 1869.

No. 16.

AN ORDINANCE *concerning Truant Children and Absentees from School.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. The city of Newburyport hereby adopts the two hundred and seventh chapter of the laws of this com-

monwealth, passed April 30, 1862, entitled "An Act concerning Truant Children and Absentees from School," and the act in addition thereto, passed February 27, 1863, and avails itself of the provisions of said act.

SECT. 2. Every child between the age of seven and sixteen years, who shall be an habitual truant from school, or who shall not attend school, and not be engaged in any regular and lawful occupation, growing up in ignorance, shall, upon conviction of any offence herein described, be punished by fine not exceeding twenty dollars, to be recovered to the use of the city; or by confinement in the almshouse establisment for a term not exceeding two years at any one time; provided, however, that any minor convicted of either of the offences herein mentioned, may be discharged by the officer having jurisdiction in the case, according to the provisions of said act.

SECT. 3. The Standing and Special Justices of the Police Court in the city of Newburyport, shall have jurisdiction of the offences herein set forth, and the almshouse belonging to the city is hereby assigned and provided as the institution of instruction, house of reformation, or suitable situation mentioned in said acts.

SECT. 4. The mayor and aldermen shall forthwith, after the passage of this ordinance, and hereafter in the month of January, annually, appoint three persons to make the complaints in every case of violation of this ordinance, to the justices having jurisdiction of the offences, and to carry into execution the judgments of said justice, in conformity to the provisions of said acts.

SECT. 5. This ordinance shall go into effect from and after its passage, and approval by the Superior Court, sitting in the

county of Essex, and the ordinance relating to the same subject, passed by the city council May 21, 1855, is hereby repealed. [Passed May 2, 1864.

Approved.

LINCOLN F. BRIGHAM,
Justice of Superior Court.

No. 17.

AN ORDINANCE *concerning the Public Library.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. The mayor and aldermen of the city of Newburyport shall be trustees of the Public Library of said city; and, as such, shall have and exercise a general supervision over its affairs.

SECT. 2. Immediately after the passage of this ordinance, the directors of the Public Library, excepting those only who are directors *ex officio*, shall be divided by lot into seven classes of one each: the first class shall serve until January, 1864; and, of the remaining classes, the term of one class shall expire in January of each subsequent year; and no one shall be re-elected, within one year after the expiration of his term of office. And hereafter, in the month of January, annually, there shall be elected by the concurrent vote of the city council, voting by ballot, one legal voter of the city, who, together with the six remaining in office, and the mayor, and president of the common council, *ex officio*, shall constitute a Board of Directors of the Public Library. The director elected in January, annually, shall hold his office for seven years. Such directors shall hold their office until their suc-

cessors are chosen. Vacancies may be filled at any time in the manner above prescribed.

SECT. 3. The Board of Directors shall have the general care and superintendence of the Public Library; make all purchases and exchanges of books, and cause the same to be kept in good repair; prescribe the duties of the librarian, and have the control and direction of that officer in the discharge of his duties; and establish all convenient and necessary by-laws and regulations to be observed in the use of books, and determine the fines and penalties to be incurred for their non-observance, provided that all such by-laws and regulations shall be approved by the city council before taking effect.

SECT. 4. A librarian shall be appointed and his compensation fixed by the Board of Directors in the month of January, annually, who shall hold his office for one year, and until his successor is appointed, subject to removal at the pleasure of the directors. He shall perform any and all the services in relation to the Library, and obey and enforce all such rules and regulations as may be prescribed by the Board of Directors. He shall act as their secretary, and keep full and accurate records of their proceedings, and an account of all receipts and expenditures of the library.

SECT. 5. The Board of Directors shall, at the first meeting of the city council in the month of December, annually, present a report exhibiting the condition of the Library, the number of books added during the year, an account of all receipts and expenditures, and such other information or suggestions as they may deem proper.

SECT. 6. All fines and penalties which may be incurred under the rules and regulations shall be collected by the librarian, and paid over monthly to the city treasurer, to be by him passed to the credit of a fund to be called the Public Li-

brary Fund. All moneys which may be received under the provisions of section 7 of this ordinance, and all appropriations by the city council for the benefit of the Library, shall be credited to the same fund; and from it shall be paid, upon the approval of the Board of Directors, the salary of the librarian, and all expenses incurred in the repair of books and in the keeping and enlargement of the Library.

SECT. 7. The inhabitants of Newbury and West Newbury, above the ages of sixteen years, can receive all the privileges of the Public Library, provided the said towns pay annually, in the month of January, their proportion of the expenses of managing said Library, compared with those incurred by the city of Newburyport for that purpose,—said proportion to be in the ratio of the respective appraisements of said city and towns in the State valuation; and also that said towns pay one per centum per annum on the cost of the apartments or building employed for said Library.

SECT. 8. The ordinance concerning the Public Library, passed Dec. 17, 1855, is hereby repealed. [Passed Aug. 3, 1863.

No. 18.

AN ORDINANCE *concerning the Public Library.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

In addition to the number of the Board of Directors of the Public Library, as now constituted, shall be members thereof, *ex officio*, the three persons appointed by deed of the subscribers to the fund for a Public Library Building, to hold in trust the overplus funds provided by said subscribers for the repar-

ation and improvement of said building, and their successors in office, conformably to the tenor of said trust-deed; provided that a duplicate copy of said deed shall be filed with the city clerk, and that due notice of all changes of said trustees shall be communicated by them in writing, addressed to the city council. [Passed Sept. 4, 1865.

No. 19.

AN ORDINANCE *establishing a System of Accountability in the Expenditures of the city.*

BE IT ORDAINED, by the City Council of the city of Newburyport, as follows:

SECTION 1. There shall be appointed at the commencement of each municipal year, a Joint Standing Committee on Accounts, consisting of two members of the Board of Aldermen and three members of the Common Council, which committee shall meet once at least in every month and carefully examine and audit all accounts and claims against the city which shall be laid before them certified as provided in the succeeding sections, and shall pass and allow the same if found to be correct and legally due.

SECT. 2. No account or claim against the city shall be received or acted on by the Committee on Accounts, unless such account or claim shall be accompanied with a certificate of the Mayor or some officer, committee or agent, authorized on behalf of the city to make the contract or cause the expenditure to be made, that the same is correct.

SECT. 3. The City Clerk shall receive all accounts and claims from persons having demands against the city, which

shall have been certified as provided in the foregoing sections. He shall examine all such accounts and claims and see that they are correctly cast, and present the same monthly, neatly folded, filed and labelled, to the Committee on Accounts. He shall keep a book, under direction of said Committee, wherein he shall enter an abstract of every account or claim as finally allowed by said Committee, designating the fund or appropriation from which the same shall be paid, and the certificates of said Committee allowing the account or claim shall be made in the book thus kept by the City Clerk. He shall cause all the books, papers, vouchers and documents under his care, to be securely kept in a fire-proof office or safe belonging to the city, and he shall render such other services respecting the accounts and finances of the city as either branch of the City Council or any Committee thereof shall from time to time require.

SECT. 4. The City Clerk shall also, under direction of the Committee on Accounts, keep a book or ledger, in which he shall enter the different appropriations made by the City Council, each under its appropriate head, and charge to each the different expenditures and payments from time to time made therefrom. Whenever any appropriations shall be exhausted, the City Clerk shall immediately give notice thereof to the Mayor, to the Committee on Finance, and to the Committee on Accounts, which last named Committee shall pass or allow no claim or account chargeable to any head of appropriation which is exhausted until the City Council shall have provided further means of paying the same. He shall open an account with the Treasurer charging him with the whole amount of taxes for collection, and also with the amount of loans and sums of money which may be borrowed for the city and all securities and sums receivable, in order that the description and nature of all funds belonging to the city may be

seen at any time on his books. The Assessors shall annually, on the last day of October, or within ten days thereafter, report to the City Clerk all abatements of taxes made by them.

SECT 5. No money shall be drawn out of the City Treasury, except on the written order of the Mayor, addressed to the Treasurer and countersigned by the City Clerk.

SECT. 6. The Mayor is hereby authorized to draw orders on the Treasurer for the payment of any account or claim against the city allowed and certified by the Committee on Accounts, as provided in the first section, and for no account or claim not so certified except as provided in the succeeding section, nor shall he draw any order in payment for any class of expenditures beyond the sum specifically appropriated therefor by the City Council.

SECT. 7. Any sum of money which shall have been specially appropriated for the payment of principal or interest due on any note or other security of the city may be drawn from the treasury and paid by the order of the Mayor for the purpose for which it was appropriated without any action on the part of the Committee on Accounts, and whenever it shall be necessary to pay money in advance, on contract made for work begun but not completed, the Mayor, upon being satisfied of such necessity, may draw his order on the Treasurer for any sum not exceeding five hundred dollars at any one time, and the Mayor may draw his order upon the Treasurer for any sum of money for the payment of any account or the application of it to the purpose for which it may be generally or specially appropriated whenever ordered so to do by the City Council, by an order to be passed by the affirmative votes of two-thirds of the whole number of each branch thereof voting by yeas and nays and concurrently.

SECT. 8. Whenever any money shall be drawn from the

Treasury for any of the purposes specified and named in the foregoing section, the City Clerk shall report the same and the amount thereof to the Committee on Accounts at their next meeting and shall charge the same under the appropriate head of expenditure.

SECT. 9. All officers of the city who shall in their official capacity receive any money in its behalf shall pay to the Treasurer the amount in their hands once in each month and oftener if required. All other persons who shall have in their hands money belonging to the city shall forthwith pay the same to the Treasurer.

SECT. 10. All officers and agents of the city receiving money in its behalf, shall, once in each month deliver to the City Clerk a report in detail of the amount received and of the disposition made thereof, except in cases otherwise provided.

SECT. 11. The City Treasurer shall, under the direction of the Committee on Accounts, keep in a book provided for the purpose, an accurate and true account of all his receipts and payments in behalf of the city, making the same conform, in the mode of entry, as nearly as may be, with the accounts kept by the City Clerk. He shall not pay any money out of the Treasury except upon orders of the Mayor drawn as prescribed in this ordinance. He shall once in six months, and oftener, if required, lay before the City Council a statement of the condition of the Treasury and of all moneys received and paid by him on account of the city, during the preceding six months.

SECT. 12. There shall be appointed at the commencement of each municipal year, a Committee on Finance, consisting of the Mayor, one member of the Board of Aldermen and five members of the Common Council, which Committee shall ne-

gotiate all loans to the city, which may be authorized by the City Council and shall report the same to the City Treasurer.

SECT. 13. The Committee on Finance shall, in the month of April, annually, prepare and lay before the City Council an estimate of the amount of money necessary to be raised for the current financial year, under the various heads of appropriations, and the ways and means of raising the same, and shall also in the month of December annually prepare and lay before the City Council a statement of all the receipts and expenditures of the preceding financial year, giving in detail the amount of appropriations and expenditures for each department; and said statement shall be accompanied with a schedule of the property, real and personal, belonging to the city and the value thereof, and the amount of debt of the city.

SECT. 14. The Committee on Finance shall at the close of each municipal year, and so much oftener as they shall deem expedient, examine and audit the accounts of the City Treasurer, and, for that purpose shall have access to all books and vouchers in his possession, or in that of the City Clerk, or of any other officers of the city. The said Committee shall also ascertain whether all moneys due to the city have been collected and accounted for; and they shall examine all notes and securities in his hands, belonging to the city, and make report thereof to the City Council.

SECT. 15. It shall be the duty of the City Clerk on or before the fifteenth day of November in each year to give notice by advertising in the newspapers, that all accounts against the city are required to be presented and all sums due the city to be paid on or before the thirtieth day of November then current.

SECT. 16. The City Clerk shall give bonds in the penal sum of three thousand dollars for the faithful performance of

all the duties of his office as prescribed in the laws of the Commonwealth and the ordinances of the city, and the delivery to his successor of all books, papers and property pertaining to his office and under his charge, which belong to the city.

SECT. 17. It shall be the duty of the City Treasurer on or before the first Monday in each month to enter in a book prepared for the purpose, under their appropriate heads, the monthly schedule of claims against the city as allowed by the Committee on Accounts, as follows, to wit:—

In the first column the names of the several claimants; in the second the amounts of the several claims; in the third the footing of each department, and the fourth shall be reserved for signatures. The final footing shall correspond with the amounts allowed and certified to by the Committee on Accounts as shown by the City Clerk's record.

SECT. 18. At the foot of this statement the Mayor may draw his order on the City Treasurer for the payments of the claims allowed, (specifying the amount to be paid on account of each department) and not already paid by order of the Mayor drawn under and by virtue of the provisions of section seventh of this ordinance, which order shall be countersigned by the City Clerk.

SECT. 19. On payment of the several claims as stated above, the signature of the person claiming the same shall be entered in the column for signatures opposite his name and amount as an acknowledgement that the same has been received.

SECT. 20. The City Treasurer shall make up his accounts to the first day of December and the financial year shall begin and end on that day in each year.

SECT. 21. The City Treasurer and Collector shall give bonds, with sufficient sureties, in the sum of twenty thousand dollars to the satisfaction of the Mayor and Aldermen, for the faithful performance of the duties of the office of Treasurer and Collector and accountability for all moneys which may come into his hands as Treasurer and Collector by virtue of his office.

SECT. 22. The Collector of Taxes shall give bonds, with sufficient sureties in the sum of twenty thousand dollars to the satisfaction of the Mayor and Aldermen, for the faithful performance of the duties of his office and accountability for all moneys which may come into his hands as Collector of Taxes by virtue of his office.

SECT. 23. This ordinance shall take effect upon its passage; and all ordinances establishing a system of accountability in the expenditures of the city, and all ordinances in addition thereto heretofore passed are hereby repealed, provided that such repeal shall not in any manner affect any rights which may have been acquired by any party under said ordinances, or either of them, or any appointments of Committees on Finance already made, or any acts now done under and by virtue of said ordinances, or either of them. [Passed October 15, 1869.

No. 20.

AN ORDINANCE *establishing the Compensation of Members of the Fire Department.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. Each Steam Fire Engine Company to consist of twenty members shall be allowed and paid each year three

hundred dollars; each Hand Engine Company to consist of fifty members shall be allowed and paid each year seven hundred and fifty dollars; each Hook & Ladder Company to consist of twenty-five members shall be allowed and paid each year three hundred and seventy-five dollars; and each Hose Company, not attached to an engine, of twelve members, shall be allowed and paid each year one hundred and eighty dollars in semi-annual payments of one-half said sums respectively in the month of April and in the month of October of each year.

SECT. 2. The Engineer of a Steam Fire Engine shall be allowed and paid two hundred and thirty-five dollars each year.

The Assistant Engineer of a Steam Fire Engine shall be allowed and paid twenty-five dollars each year.

The Fireman of a Steam Fire Engine shall be allowed and paid one hundred and ten dollars each year.

The Foreman of each Fire Engine Company shall be allowed and paid ten dollars each year.

The Clerk of each Fire Engine Company shall be allowed and paid ten dollars each year.

The Steward of each Fire Engine Company shall be allowed and paid thirty-five dollars each year,—in addition to their respective proportions of the amount to be received by the companies to which they may respectively belong—in semi-annual payments of one-half thereof respectively in the said months of April and October.

SECT. 3. The Chief Engineer shall be allowed and paid in full for his services two hundred dollars each year, and each Assistant Engineer twenty-five dollars each year; and the Clerk of the Board of Engineers, ten dollars each year in semi-annual payments of one-half thereof in said months of April and October.

SECT. 4. The compensation established by the first sec-

tion of this ordinance shall be paid to such persons respectively as shall be duly authorized to receive the same by votes of the majorities of the members of the companies respectively certified by their respective clerks or foremen.

SECT. 5. This ordinance shall take effect upon its passage and all ordinances, establishing or relating to the compensation of members of the Fire Department, or concerning the pay of the Fire Department heretofore passed are hereby repealed, provided that such repeal shall not in any manner affect any rights which may have been acquired by any party under said ordinances, or any of them, or any appointments of officers and members of the Fire Department made under and by virtue of said ordinances, or any of them. [Passed Sept. 6, 1869.

No. 21.

AN ORDINANCE *relating to the Superintendence of Highways.*

BE IT ORDAINED, by the City Council of the City of Newburyport as follows:

SECTION 1. The superintendence of the streets, roads, bridges and public squares of the city, is vested in a joint standing committee, consisting of the Mayor, the Board of Aldermen, and one Common Councilman for each ward, to be styled the Joint Standing Committee on Highways, whose duty shall be to make, put and keep in good order and condition for public travel, all streets, roads, bridges and public squares, which now are, or may hereafter be laid out within the city, and to attend to the removal of any obstructions or encroachments thereof.

SECT. 2. The Standing Committee may, annually, in the

month of January or February, choose by ballot, some suitable person as superintendent of highways, with power, under the direction of said standing committee, to employ such person or persons to labor on said highways as shall be deemed for the interest of the city; and may employ the city teams under the direction of the standing committee on public property.

SECT. 3. The superintendent so chosen shall receive for his services such compensation as said standing committee on highways shall from time to time establish. [Passed May 20, 1861.

No. 22.

AN ORDINANCE *defining the Duties of the Committee on Public Property.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. At the commencement of each municipal year there shall be appointed a Joint Standing Committee on Public Property, to consist of two Aldermen and three members of the Common Council.

SECT. 2. The said Committee shall have the care and custody of all the school-houses, buildings and other property belonging to the city, and of the erection, alteration and repairs thereof, except as otherwise provided, and subject to such rules, orders and regulations as the City Council may from time to time adopt.

SECT. 3. The said Committee are authorized to lease any building or land belonging to the city which is not otherwise appropriated, for any period not exceeding three years, upon

such terms and conditions as they may deem expedient; provided, however, that in all cases when any land or building is to be leased for a term exceeding one year, the same shall be subject to an approval of the Board of Mayor and Aldermen; and in all such cases the lease shall be signed by the Mayor in behalf of the city.

SECT. 4. Whenever any building for the use of the city shall be erected, altered, or repaired, the expense of which may exceed the sum of two hundred dollars, it shall be the duty of said Committee to prepare, or cause to be prepared, the requisite plans and specifications of the work to be done.

SECT. 5. The Committee shall give notice in the newspaper, or newspapers in which the ordinances of the city are published, of the time and place for the exhibition of such plans and specifications as may be by them prepared, to enable contractors to make their estimates of the proposed work.

SECT. 6. No proposal shall be received by the said committee from any person offering to contract for such work, unless the same is sealed; and no proposal shall be opened except in committee actually assembled, and the contents of no proposal shall be made known to any person not a member of the Committee until after a contract shall have been made; provided, always, that if any such proposals shall be offered by persons who, in the judgment of said committee, shall be incompetent to perform their contracts in a workmanlike manner, or irresponsible in respect to their means of faithfully executing the same, the said committee may in their discretion, reject any such proposal, notwithstanding the same be at a lower rate than other proposals offered for the same work.

SECT. 7. In all cases, where the amount of any contract shall exceed the sum of one hundred dollars, the contract shall be in writing, and signed by the Mayor on the part of

the city; and after being signed by the parties, no such contract shall be altered in any particular, unless three-fourths of said Committee shall signify their assent thereto in writing, under their respective signatures, endorsed on the contract, or by a vote of the City Council.

SECT. 8. The amount of expenditures for the foregoing purposes in any one year shall never exceed the appropriations made by the City Council for the same, and no expenditure exceeding one hundred dollars shall ever be made, in the alteration or repairs of any building, without the express vote of the City Council authorizing the same.

SECT. 9. Whenever the City Council shall order the purchase of any land, or building, such purchase shall be made under the direction of said Committee on Public Property, upon such terms and conditions as the City Council shall prescribe.

SECT. 10. No building or land owned by the city shall be sold by any committee, without an order from the City Council authorizing such sale. [Passed June 3, 1861.

No. 23.

AN ORDINANCE *regulating the Purchase of Fuel for the use of the city.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. That hereafter all contracts for, and purchases of wood, bark, coal, or other fuel for the use of the city in each and every of its branches and departments where needed, in the public school-houses and all public buildings and offices,

shall be made by a Committee of the City Council to consist of two members of the Board of Aldermen and three members of the Common Council and be styled "the Joint Standing Committee on Fuel," whose duty it shall be to advertise in a public newspaper printed in said city, and in such other newspapers as the Committee may determine, for sealed proposals for furnishing the same, at least ten days previously to making any contract for the same, and the proposals shall contain the terms for which each particular description of fuel will be furnished separately and distinctly, and such proposals being considered shall be accepted or rejected according to the terms as may be deemed advisable by said Committee, and the contract so made shall provide for the delivery of the same at such different times and in such places as may be required by said Committee during the year, and such contracts shall be made annually between the months of January and October.

SECT. 2. All fuel of every description which shall be contracted for or purchased by said Committee shall previously to the delivery thereof, be weighed or measured by a weigher or measurer, appointed for that purpose by the city. All contracts for hard coal shall be made so that the city shall receive twenty-two hundred and forty pounds for the ton, for each and every ton contracted for.

SECT. 3. The heads of the several departments of the city requiring fuel shall give written notice to said Committee in the month of March annually, of the quantity, kind and quality of the several kinds of fuel wanted for their respective departments and of the places where the same shall be delivered, and the said departments shall be ready to receive the same at such times as the said Committee may notify them that it is ready for delivery; and the chairman of said Com-

mittee shall see to the delivery of the same and take receipts for the quantities delivered the departments respectively.

SECT. 4. This ordinance shall take effect upon its passage, and all ordinances regulating the purchase of fuel for the use of the city, and all ordinances in addition thereto heretofore passed, are hereby repealed; provided that such repeal shall not in any manner affect any rights which may have been acquired by any party under said ordinances or any of them or any appointments heretofore made or any contracts or purchases heretofore made or any acts done by said Committee acting under said ordinances or any of them, under and by virtue of said ordinances or any of them. [Passed September 6, 1869.

No. 24.

AN ORDINANCE *defining the duties of the Committee on Printing.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. At the commencement of each municipal year there shall be appointed a Joint Standing Committee on Printing, to consist of one Alderman and two members of the Common Council.

SECT. 2. The said Committee shall make all contracts for the city printing, shall see that the work performed, and the material provided, are in conformity with the terms of the contract; and shall approve all bills for printing. [Passed November 15, 1858.

No. 25.

AN ORDINANCE *concerning Common Criers.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. The Mayor and Aldermen may, from time to time, license, as Common Criers, such number of persons as they may judge to be for the public good, and the said licenses they may at will revoke, but unless sooner revoked, the said licenses shall continue in force until the tenth day of January next after the date thereof.

SECT. 2. No person, not licensed as aforesaid, shall presume to be a common crier, or to cry any sort of articles, lost or found, stolen goods, strays, public sales or other things, in any of the streets or public places of the city.

SECT. 3. No person shall publicly cry any indecent, profane or libelous matter.

SECT. 4. Every common crier shall keep a list of all matters and things by him cried, and the names of all persons by whom he is employed to cry the same, and shall exhibit said lists and names to the Mayor and Aldermen, whenever thereto required.

SECT. 5. Every person violating the provisions of this ordinance, shall forfeit a sum not less than one dollar, nor more than twenty dollars for each and every offence. [Passed August 18, 1851.

No. 26.

AN ORDINANCE *relating to Hackney Carriages.*

BE IT ORDAINED, by the City Council of the city of Newburyport, as follows:

SECTION 1. Every hack, stage-coach, omnibus, cab, barouch, or other vehicle, whether on wheels or runners, drawn by one or more horses or other animal power, which shall be used in the city of Newburyport for the conveyance of persons for hire from place to place within the said city shall be deemed a hackney carriage within the meaning of these regulations.

SECT. 2. No person or persons shall set up, use or drive in this city any hackney carriage for the conveyance of persons for hire from place to place in this city, without a license for the same from the Mayor and Aldermen, under a penalty of not less than two dollars and not more than seven dollars every time the carriage shall be used for such purpose.

SECT. 3. The Mayor and Aldermen shall, from time to time, grant licenses to such person or persons, and upon such terms as they may deem expedient, to drive, use or set up hackney carriages for the conveyance of persons for hire; and they may revoke such licenses at their discretion, and a record of all licenses shall be kept by the City Treasurer.

SECT. 4. For every license so granted them shall be paid the City Treasurer the sum of one dollar for the use of the city—and the City Treasurer shall make quarterly reports to the Mayor and Aldermen of all moneys so paid.

SECT. 5. No license shall be sold, transferred or assigned without the consent of the Mayor and Aldermen and a certificate thereof endorsed thereon by the City Clerk.

SECT. 6. The price or rates of fare to be taken by or paid to the owner, driver or other person or persons having charge of any hackney carriage, except omnibusses, shall be as follows, that is to say: for carrying passengers from one place to another between and including Marlboro' and Ashland streets—thirty-five cents each, below Marlboro' street and above Ashland street within the limits of the city—fifty cents each. For children between the ages of seven and fourteen years, one-half of the price above named only, to be charged for each child. Every owner, driver or other person or persons having the charge of any hackney carriage, shall carry with each passenger the usual baggage necessary in travelling.

SECT. 7. No hackney carriage used for the conveyance of passengers shall be driven by a minor under the age of eighteen years, unless he be specially licensed by the Mayor and Aldermen, under a penalty of not less than two dollars and not more than ten dollars for each offence.

SECT. 8. Every hackney carriage licensed agreeably with the provisions of this ordinance shall be numbered and any owner or driver who shall violate any of the provisions of this ordinance, shall be liable to a fine of not less than two dollars and not more than ten dollars for each offence.

SECT. 9. This ordinance shall take effect upon its passage, and all ordinances relating to hackney carriages heretofore passed are hereby repealed, provided that such repeal shall not in any manner affect any rights which may have been acquired by any party under said ordinances or any of them or any appointments heretofore made, or any licenses heretofore granted by the Mayor and Aldermen under and by virtue of said ordinances or any of them. [Passed Sept. 6, 1869.

CITY OF NEWBURYPORT.

[General Statutes, Chapter 88, Sections 28, 29 and 30.]

SECTION 28. The Mayor and Aldermen, or Selectmen of any city or town which has adopted by-laws therefor may license suitable persons to carry on the business of pawnbrokers within their respective cities and towns.

SECT. 29. The license shall designate the place where the business is to be carried on, contain such conditions and restrictions as may be prescribed by such by-laws, and continue in force one year unless sooner revoked.

SECT. 30. Whoever not being licensed carries on such business, or is concerned therein within such city or town, or being licensed carries on such business, or is concerned therein in any other place or manner than that designated in his license or after notice to him that his license is revoked shall pay a fine not exceeding fifty dollars for each offence.

No. 87.

AN ORDINANCE *relating to Pawnbrokers.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. No person shall carry on the business of a pawnbroker in this city unless he is duly licensed therefor by the Mayor and Aldermen.

SECT. 2. Every person carrying on said business shall keep a book in which he shall record at the time of receiving any article as a pawn, a description of the article so received, the name, age and residence of the person from whom, and the day and hour when he so received it, and that book shall at all times be open to the inspection of the Mayor or either of

the Aldermen, or of any person by the Board of Aldermen authorized to make such examination.

SECT. 3. No pawnbroker shall directly, or indirectly, receive any article in pawn of any minor or apprentice knowing or having reason to believe him to be such. All articles taken or held by any pawnbroker shall be exhibited to the Mayor or either of the Aldermen, or to any person authorized by the Board of Aldermen to make such examination whenever a demand shall be made by either of them for such exhibition.

SECT. 4. All licenses granted under this ordinance shall designate the place where the person licensed may carry on his business, and he shall not engage in, or carry on his business under his license in any other place than the one so designated; and all the provisions of this ordinance shall be incorporated in every license which shall be granted under it.

SECT. 5. Any person offending against either of the provisions of this ordinance shall forfeit a sum not exceeding fifty dollars for each offence [Passed March 16, 1868.

STATE LAW IN RELATION TO DEALERS IN JUNK, OLD METALS AND SECOND HAND ARTICLES.

[General Statutes, Chapter 88.]

SECTION 25. The Mayor and Aldermen, or Selectmen of any city or town which has adopted by-laws therefor, may license suitable persons to be dealers in, and keepers of shops for the purchase, sale, or barter of junk, old metals, or second hand articles, within their respective cities and towns.

SECT. 26. The license shall designate the place where the business is to be carried on, and contain such conditions and

restrictions as may be prescribed by such by-laws, and shall continue in force for one year unless sooner revoked.

SECT. 27. Whoever, not so licensed, keeps a shop or is a dealer in such city or town, or being licensed keeps such shop, or is such dealer, in any other place or manner than that designated in his license, or after notice to him that his license has been revoked, shall pay a fine of twenty dollars for each offence.

No. 28.

AN ORDINANCE *relating to Dealers in Junk, Old Metals and second-hand Articles.*

BE IT ORDAINED, by the City Council of the city of Newburyport, as follows:

SECTION 1. All licenses which shall be granted according to law to any persons to be keepers of shops for the purchase, sale or barter of junk, old metals, or any second hand articles, and to be dealers therein, shall contain the following conditions and restrictions:

First, That every person, at the time of receiving said license, shall pay therefor the sum of ten dollars.

Second, That every keeper of such shop shall keep a book, in which shall be written at the time of every purchase of any such article, a description of the article or articles purchased, the name, age and residence of the person from whom, and the day and hour when such purchase was made; and such book shall at all times be open to the inspection of the Mayor and Aldermen of the city, and to any person by them respectively authorized to make such inspection.

Third, That every keeper of such shop, shall put in some suitable and conspicuous place on his shop, a sign, having his name and occupation legibly inscribed thereon in large letters,

and such shops and all articles of merchandise therein, may be examined by the Mayor and Aldermen, or by any person by them respectively authorized to make such examination at all times.

Fourth, That the said shops shall not be kept open, except at such hours as shall be specially allowed by the terms of the license; and that no purchase of any of the articles aforesaid, shall be made by the keepers thereof, or by any person for them, except during such hours as shall be designated in the license.

Fifth, That no keeper of such shop shall directly or indirectly either purchase or receive by way of barter, or exchange, any of the articles aforesaid, of any minor or apprentice, knowing or having reason to believe him to be such.

Sixth, That no article purchased or received shall be sold until a period of at least one week from the date of its purchase or receipt, shall have elapsed.

SECT. 2. Any person who shall violate either of the rules, regulations, or restrictions contained in his license, as aforesaid, shall forfeit a sum not exceeding twenty dollars for each offence. [Passed June 16, 1863.

No. 29.

AN ORDINANCE, *concerning the Admeasurement and Sale of Wood, Bark and Coal.*

BE IT ORDAINED, by the City Council of the City of Newburyport, as follows:

SECTION 1. There shall be appointed annually, and at such other times when occasion requires, such number of persons

as the City Council may decide, to be measurers of wood and bark, and inspectors of the measurement of coal; any of whom shall be subject to be removed by the Mayor and Aldermen when it shall appear to them that he is negligent or unfaithful in his office.

SECT. 2. The fees for measuring a load or pile of wood or bark, not exceeding two and a half cords, shall be twelve and a half cents; over two and a half cords and not exceeding ten, five cents per cord; over ten cords four cents per cord; and for measuring a load of charcoal twelve and a half cents; said fees to be paid by the measurer to the seller, and repaid by the purchaser.

SECT. 3. The said measurer shall see that all baskets used in the measurement of charcoal brought into the city for sale, are of legal dimensions, and shall respectively be entitled to receive the penalty provided by law, for the use of unlawful baskets, whenever they shall apprehend any person offending in this behalf.

SECT. 4. The Mayor and Aldermen may in their discretion, assign and prescribe the places for the measurement and sale of wood and bark brought into the city for sale by land, or at the public landing places on the river Merrimack.

SECT. 5. Measurers of wood and bark shall use a form of certificate of measurement to be furnished by the City Clerk; and they shall annually, on the first Monday in January of each year, file in the office of the City Clerk a return of the wood, bark and coal measured by them respectively during the preceding year. [Passed December 15, 1851.

No. 30.

AN ORDINANCE *repealing an Ordinance passed October* 15, 1869, *entitled an Ordinance to provide for the appointment of an Assistant City Clerk.*

BE IT ORDAINED, by the City Council of the city of Newburyport, as follows:

SECTION 1. An ordinance to provide for the appointment of an Assistant City Clerk, passed October 15, 1869, is hereby repealed. [Passed April 18, 1870.

REGULATIONS

OF THE

BOARD OF HEALTH,

OF THE

CITY OF NEWBURYPORT,

CONCERNING

BURIAL GROUNDS AND INTERMENTS,

WITHIN THEIR LIMITS.

First, On the first Monday in May, or within sixty days thereafter, the Board of Health shall appoint for a period of one year from the first Monday in June in the year in which they shall be appointed, such a number of funeral undertakers as the said Board shall deem it expedient, who shall be responsible for the decent, orderly, and faithful management of the funerals undertaken by them and a strict compliance with the rules and regulations of the Board of Health in this behalf. Said undertakers shall always be removable at the pleasure of the Board of Health, and each of them shall before entering

upon the duties of his office, give a bond in a sum not less than five hundred dollars, with sufficient sureties to be approved by the Board of Health for the faithful performance of the duties thereof, and a strict compliance with the rules and regulations of the said Board concerning burial grounds and interments within their limits. No person not appointed and not having given bonds as aforesaid shall undertake the management of any funeral.

Second, No person shall bury or inter or cause to be buried or interred any corpse at any other time of the day than between sun rising and sun setting, except when otherwise permitted by the Board of Health or the City Clerk. The corpse of every person of ten years of age or upwards shall be conveyed to the grave or tomb in a funeral car to be drawn by not more than two horses.

Third, No grave shall be opened or dug in any of the burying grounds in the city unless by permission of the Board of Health or City Clerk.

Fourth, No conductor on any railroad, no master of any steamboat or other vessel, no hack-driver or other person shall remove or cause to be removed from the city, the corpse of any person unless by a written license from the Board of Health, or from the City Clerk.

Fifth, No person shall remove the corpse of any person or the remains of any such corpse from any of the graves or tombs in this city, or shall disturb any corpse in any tomb or grave therein without the written license of the Board of Health or of the City Clerk.

Sixth, No grave or tomb shall be opened from the first day of June to the first day of October, except for the purpose of interring the dead, without the written license of the Board of Health or of the City Clerk.

Seventh, The City Clerk shall have authority to grant or withold permission or license touching the matters mentioned in the third, fourth, fifth, and sixth of the foregoing rules and regulations of the Board of Health, subject always to the direction, authority and control of the Board of Health.

Eighth, On the first Monday of May or within sixty days thereafter, the Board of Health shall appoint a superintendent of burial grounds, who shall have the care and custody of all the burying grounds in the city, excepting those otherwise regulated by law, and it shall be his duty to keep the same in good order and condition, secured from trespasses and to prevent any and all nuisances therein, to point out the place, depth, width, and range of all graves to be dug in the several burying grounds under the charge of the city, and to declare the limits in such grounds within which no grave shall be dug, which in his judgment would be dangerous to the public health. He shall before entering upon the duties of his office give a bond in a sum not less than five hundred dollars with sufficient sureties to be approved by the Board of Health, for the faithful performance of the duties of his offices.

Ninth, No person shall bury or inter or cause to be buried or interred any corpse within the city limits, without first having obtained a license so to do from the Board of Health or the City Clerk or in violation of any direction or order of the superintendent of burial grounds given in accordance with the next preceding rule and regulation.

Tenth, No person shall inter or cause to be interred the corpse of any person in a grave which shall be less than three feet deep from the surface of the ground surrounding the grave to the top of the coffin.

Eleventh, The superintendent of burial grounds shall have authority in all matters relating thereto contained in the eighth

rule hereof, subject always to the direction, authority and control of the Board of Health.

All persons offending against any of the provisions of the above rules and regulations shall forfeit for each offence a fine of not more than fifty dollars. [Adopted May 5, 1869.

RULES AND ORDERS

OF THE

BOARD OF ALDERMEN.

ARTICLE I. The order of business shall be as follows:—

1. The journal of the previous meeting shall be read.

2. Petitions shall next be called for, and be disposed of by reference or otherwise; and also new business may be introduced by any member of the Board.

3. Such nominations, appointments and elections, as may be in order, shall be considered and disposed of.

4. The orders of the day shall be taken up, meaning by the orders of the day, the business remaining unfinished at the previous meeting, and such communications as may have been subsequently sent up from the Common Council.

ART. II. Every ordinance shall pass through the following stages before it shall be considered as having received the final action of this Board, viz: first reading, second reading, passage to be enrolled, passage to be ordained; and every joint resolution shall have two several readings before the question shall be taken on its final passage.

ART. III. An ordinance may be rejected at either stage of its progress; but shall not pass through all its stages in one day.

ART. IV. Standing Committees shall be appointed as follows, viz:

On Police.
On Elections.
On Fire Department.
On Atwood and Brown Funds.
On Bromfield Fund.
On Putnam and Atkinson Fund.
On Licenses.
On Enrolled Bills.

The first committee to consist of the Mayor and two Aldermen; each of the others of three Aldermen.

ART. V. All committees shall be appointed and announced by the Mayor, unless the Board shall determine otherwise.

ART. VI. The above rules and order of business shall be observed in all cases, unless suspended by a vote of two-thirds of the members present for specific purposes.

JOINT RULES AND ORDERS

OF THE

CITY COUNCIL.

RULE 1. At the commencement of the municipal year, the following Joint Standing Committees shall be appointed, unless otherwise ordered by the respective boards, viz:

A Committee on Finance—to consist of the Mayor, one Alderman, and five members of the Common Council.

A Committee on Accounts—to consist of two Aldermen, and three members of the Common Council.

A Committee on Public Property—to consist of two Aldermen and three members of the Common Council.

A Committee on Printing—to consist of one Alderman and two members of the Common Council.

A Committee on Public Instruction—to consist of the Mayor and two Aldermen, and the President and four members of the Common Council.

A Committee on Alms House and Poor—to consist of two Aldermen, and five members of the Common Council.

A Committee on Ordinances—to consist of the Mayor, and two members of the Common Council.

A Committee on Claims—to consist of two Aldermen, and three members of the Common Council.

A Committee on Fuel—to consist of two Aldermen, and three members of the Common Council.

A Committee on Lighting Streets—to consist of two Aldermen, and three members of the Common Council.

A Committee on Highways—to consist of the Mayor, the Board of Aldermen, and six members of the Common Council, one from each Ward.

On all Joint Committees wherein it is provided that the Mayor shall be a member, in case of the non-election, decease, inability or absence of that officer, the chairman of the Board of Aldermen shall act *ex officio*.

The member of the Board of Aldermen first named on every joint committee, of which the Mayor is not a member, shall be its chairman; and in case of his resignation, or inability, the other members of the same Board in the order in which they are named; and after them, the member of the Common Council, first in order, shall call the meetings of the commitee, and act as chairman.

RULE 2. In every case of disagreement between the two branches of the City Council, if either board shall request a conference, and appoint a committee of conference, and the other board shall also appoint a committee to confer, such committee shall at a convenient hour, to be agreed upon by their chairman, meet and state to each other verbally or in writing, as either shall choose, the views of their respective boards, for and against the matter in controversy, confer freely thereon, and report in writing to the board asking the conference.

RULE 3. When either board shall not concur in any action

of the other, notice of such non-concurrence shall be given by written message.

RULE 4. Either board may propose to the other for its concurrence a time to which both boards shall adjourn; and neither shall adjourn without giving notice to the other board and receiving notice from said other board that it also is ready to adjourn.

RULE 5. In all votes, when either or both branches of the City Council express any thing by way of *command*, the form of expression shall be "ORDERED"; and whenever either or both branches express *opinions*, *principles facts* or *purposes*, the form shall be "RESOLVED."

RULE 6. No committee shall act by separate consultation, and no report shall be received unless agreed to in committee actually assembled.

RULE 7. It shall be the duty of every joint committee, to whom any subject may be specially referred, to report thereon within four weeks, or to ask for further time.

RULE 8. The reports of all Committees, agreed to by a majority of the members, shall be made to the board in which the business referred originated; and all committees may report by ordinance, resolve, or otherwise.

RULE 9. All reports and other papers submitted to the City Council shall be written in a fair hand; and no report of any kind shall be endorsed on the memorials or other papers referred to the committee of either branch; and the Clerk shall make copies of any papers to be reported by committees at the request of the respective chairmen thereof.

RULE 10. No business shall be transacted by the City Council in convention, except such as shall have been previously agreed upon, unless by unanimous consent.

RULE 11. After the annual appropriations shall have been

passed, no subsequent expenditure shall be authorized for any object, unless provision for the same shall be made by a specific transfer from some of the appropriations contained in the annual resolutions, or by expressly creating therefor a city debt; but no such debt shall be created unless the resolution authorizing the same pass by the affirmative votes of two-thirds of the whole number of each branch of the City Council, voting by yeas and nays.

RULE 12 Every joint resolution shall have as many readings in each board as the Rules of each Board require, after which the question shall be on passing the same to be enrolled; and when the same shall have been so passed, it shall be sent to the other board for concurrence; and when such resolution shall have been passed by each board, the same shall be enrolled by the City Clerk, and examined by the Committee of the Common Council on Enrolled Bills; and on being found correctly enrolled, without further reading or question shall be signed by the President of the Common Council, and sent to the other board, where a like examination shall be made by the Committee of that Board on Enrolled Bills, and if found correctly enrolled, the same shall be signed by the Mayor.

RULE 13. Every ordinance shall have as many readings in each Board as the rules of each board require, after which the question shall be on passing the same to be enrolled, and it shall be sent to the other board for concurrence; and when such ordinance shall have so passed to be enrolled in each board, the same shall be enrolled by the City Clerk and examined by the Committee of the Common Council on Enrolled bills, and on being found by said Committee to be correctly enrolled, the same shall be reported to the Council, when the question shall be on passing the same to be ordained; and when said ordinance shall have so passed to be ordained, it

shall be signed by the President of the Common Council, and sent to the other Board, where a like examination shall be made by the Committee of that board on Enrolled Bills, and if found to be correctly enrolled the same shall be reported to the Board, and the question shall be on passing the same to be ordained; and when the same shall have passed to be ordained, it shall be signed by the Mayor.

RULE 14. No enrolled ordinance or resolution shall be amended.

RULE 15. No Chairman of any Committee shall audit or approve any bill or account against the city for any supplies or service which shall not have been ordered or authorized by the committee.

RULE 16. Joint Standing Committees shall cause records to be kept of their proceedings in books provided by the city for that purpose.

RULE 17. No vote by which an order, resolve or ordinance has been passed in its final stage shall be reconsidered in either Board after the same has been finally acted upon in the other Board, unless the motion for reconsideration be made, or notice given, at the same meeting at which the vote to be reconsidered passed; and when any order, resolve or ordinance shall have been rejected, no other, substantially the same, shall be introduced by any committee, or member, during the municipal year, without the consent of two-thirds of the members present.

RULES AND ORDERS

OF THE

COMMON COUNCIL.

DUTIES OF THE PRESIDENT.

RULE 1. The President shall take the chair at the hour to which the Council may have adjourned; shall call the members to order, and, on the appearance of a quorum, shall cause the minutes of the preceding meeting to be read, and proceed to business.

RULE 2. He shall preserve order and decorum; may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal to the council, on motion of any member regularly seconded, and no other business shall be in order till the question on the appeal shall have been decided.

RULE 3. He shall decide all votes; but if any member doubt the vote, the President without further debate, shall require the members voting in the affirmative and in the negative to rise and stand until they are counted, and shall then declare the result.

RULE 4. He shall rise to put a question, or to address the the council, but may read sitting.

RULE 5. The President may only express his opinion on any subject under debate by leaving the chair, and appointing a member to take it. But the President may state facts, and give his opinion on questions of order, without leaving his place.

RULE 6. When the Council shall decide to go into committee of the whole, the President shall appoint the chairman.

RULE 7. On all questions the President shall take the sense of the council by yeas and nays, when one-third of the members present shall so require, and in taking the yeas and nays the names of the members, except the President, shall be called in alphabetical order.

RULE 8. He shall propound all questions in the order in which they are moved, unless the subsequent motion be previous in its nature; except that in naming sums and fixing times, the largest sum and the longest time shall be put first.

RULE 9. When a question is under debate, the President shall receive no motion, but to adjourn, to lay on the table, for the previous question, to postpone to a time certain, to commit, to amend, or to postpone indefinitely, which several motions shall have precedence in the order in which they are arranged.

RULE 10. He shall consider a motion to adjourn, as always first in order; and that motion and the motions to lay on the table, to take from the table, and for the previous question, shall be decided without debate.

RULE 11. He shall put the previous question in the following form: "*Shall the main question be now put?*" and all debate shall be suspended, until the previous question shall be decided. The adoption of the previous question shall put an end to all debate, and bring the council to a direct vote

upon pending amendments, if any, in their regular order, and then upon the main question.

RULE 12. All incidental questions of order, arising after a motion is made for the previous question, shall be decided without debate, except on an appeal, and on such an appeal no member shall be allowed to speak more than once without leave of the council.

RULE 13. When two or more members happen to rise at once, the President shall name the member who is first to speak.

RULE 14. All committees shall be appointed and announced by the President, unless otherwise provided for, or specially directed by the council.

RULE 15. In all cases the President may vote.

RULE 16. The President may call any member to the chair, but such substitution shall not extend beyond an adjournment.

RULE 17. In the absence of the President, the senior member present shall call the council to order, and preside until a President *pro tempore* shall be chosen by ballot. If no member shall receive a majority of the votes upon the first ballot, upon the second a plurality shall elect.

RIGHTS, DUTIES AND DECORUM OF MEMBERS.

RULE 18. When any member is about to speak in debate, or deliver any matter to the council, he shall rise in his place, and respectfully address the President; shall confine himself to the question under debate, avoid personality, and sit down when he has done speaking.

RULE 19. No member in debate shall mention another by name, but may describe him by some designation intelligible and respectful.

RULE 20. No member speaking shall be interrupted by

another, but by rising to call to order, or to correct a mistake.

RULE 21. When any member shall be guilty of a breach of either of the rules and orders of the Council, he may, on motion, be required by the Council to make satisfaction therefor, and in such a case he shall not be allowed to vote or speak, except by way of excuse, till he has done so.

RULE 22. No member shall speak more than twice to the same question without leave of the Council, nor more than once, until all other members choosing to speak, shall have spoken.

RULE 23. A motion may be withdrawn, at any time, by the mover, before a decision or amendment.

RULE 24. Every motion shall be reduced to writing, if requested by the President or any member of the Council.

RULE 25. Any member may require the division of a question, when the sense will admit of it.

RULE 26. No motion or proposition, of a subject different from that under consideration, shall be admitted under color of amendment.

RULE 27. When a vote has passed, it shall be in order for any member who voted in the *majority* to move a reconsideration thereof, at the same or the succeeding meeting, but not afterwards; and when a motion for reconsideration is decided, that vote shall not be reconsidered.

RULE 28. At every regular meeting of the Council, the order of business shall be as follows:—

1. Papers from the Board of Aldermen.
2. Unfinished business of preceding meetings.
3. Communications and Reports from City Officers, Presentation of Petitions, Remonstrances and Memorials.
4. Reports of Committees.
5. Motions, Orders or Resolutions.

And the above order shall not be departed from, but by the vote of a majority of the members of the Council present.

RULE 29. No rule or order of the Council shall be suspended unless three-fourths of the members present shall consent thereto; nor shall any rule or order be repealed or amended, without notice being given therefor at the preceding meeting, nor unless a majority of the whole Council shall concur therein.

RULE 30. Every member shall take notice of the day and the hour to which the Council stands adjourned, and shall give his punctual attendance accordingly.

RULE 31. The reading of any paper, when objected to, shall be determined by a vote of the Council.

RULE 32. Every seat which shall be drawn by any member, at the beginning of the session, shall be his seat during the year, unless he have leave of the President to change it.

RULE 33. No member shall be allowed to vote, or serve on any Committee, on any question where his private right is concerned distinct from the public interest.

RULE 34. The members of the Council shall not leave their places, on adjournment, until the President shall declare the Council adjourned.

RULE 35. All salary officers shall be voted for by written ballot.

PETITIONS, MEMORIALS, &c.

RULE 36. All memorials and other papers addressed to the Council, shall be presented by the President, or by a member in his place, who shall explain the subject thereof, and they shall lie on the table, or be taken up in the order in which they were presented, unless the Council shall otherwise direct.

ORDINANCES, ORDERS, AND RESOLUTIONS.

RULE 37. All ordinances, orders and resolutions shall have two several readings before they are finally passed; and no ordinance, order, or resolution, imposing penalties, or authorizing the expenditure of money—and no order or resolution authorizing a loan, shall have more than one reading on the same day; *provided*, however, that nothing herein contained shall prevent the passage of an order at any meeting of the Council, to authorize the printing of any document relating to the affairs of the city.

POWERS AND DUTIES OF COMMITTEES, &c.

RULE 38. Standing Committees shall be appointed on the following subjects:—

A Committee on Elections and Returns.

A Committee on Bills in the Second Reading.

A Committee on Enrolled Bills.

And each of these Committees shall consist of three members.

RULE 39. All Bills which may pass to a second reading at this Board, shall be referred to the Committee on Bills in the second reading, and it shall be the duty of said Committee carefully to examine such bills, to see that they are in technical form, and that their provisions are not repugnant to the laws and constitution of the Commonwealth, or to the charter and ordinances of the city, and make report of them to the Council before the time assigned for their second reading.

RULE 40. All Committees of the Council shall consist of three members, unless otherwise ordered; and no report shall be received from any committee, unless agreed to in committee actually assembled.

RULE 41. No Committee shall sit during any meeting of the Council, without special leave.

DUTIES OF CLERK, &c.

RULE 42. The Clerk shall keep minutes of the votes and proceedings of the Council, enter thereon such Orders and Resolutions as are adopted—shall notice reports, petitions, memorials, and other papers which are presented; and shall enter all accepted reports of select Committees of the Council, at length, in a separate journal, to be kept for that purpose, and provided with an index—shall draw up all messages to the Mayor and Aldermen, and send them by the messenger; and shall attend the meetings of the Committees of the Council, and make their records when required.

DONATIONS AND BEQUESTS

TO THE

CITY OF NEWBURYPORT.

EXTRACT from the will of TIMOTHY DEXTER, late of Newburyport, approved and allowed November 3, 1806; recorded O. S. Book 74, leaf 175:

* * * "Item. I give unto the town of Newburyport, two thousand dollars, to be put at interest by the overseers, and the interest to be given to such of the poor of the town as the overseers may think most *necessitous*, who are not in the workhouse, *annually*."

ESSEX, ss. Probate Office, December 2, 1869.

Attest, JAMES ROPES, ASSISTANT REGISTER.

AN EXTRACT from the will of MOSES ATKINSON, late of Newbury, proved on the fifth day of July A. D., 1814.

"Item. I give to the school district to which I belong, toward the support of a school for reading, writing, arithmetic and English grammar, after the payment of the several legacies herein above bequeathed, all the money and notes which my said wife shall leave unexpended, except the last article in the first clause of this instrument; also about ten acres of salt marsh, situate in Salisbury in said county; also about seventeen acres of land in said Newbury, being part of my

homestead; also three and three-fourths cowrights in the general pasture in said Newbury; also about four acres of pasture land in said Newbury, bounded northwestwardly by Matthias Atkinson's land, northeastwardly by Moses and William Merrill's land, southeastwardly by Stephen Coffin's, and southwestwardly by Sarah Lunt's land,—with liberty to sell the last mentioned lot, if it be most for the interest of the said district to appropriate the annual interest thereof toward the support of said school. All the said bequests to be under the direction of a committee to be chosen by a majority of the legally qualified voters in said district in the month of April annually forever. But if the said district shall hereafter be divided, I then give the whole of said bequests to that part of the present district, in which I now live. And furthermore, if the said district shall neglect for the space of one year, after possession, to appropriate the income of this legacy to the purpose and for the use aforesaid, I then give the whole of said legacy to my nephews—Moses Atkinson, William Atkinson, Thomas Hale and Ebenezer Hale, to be equally divided between them, to them and their respective heirs and assigns forever."

ESSEX, ss. A true copy.

Attest, A. C. GOODELL, REGISTER.

EXTRACT from the will of MOSES BROWN, late of Newburyport, merchant, deceased; executed October 22, 1824:

"I give and bequeath to the inhabitants of the town of Newburyport aforesaid, the sum of six thousand dollars as a fund for the use and support of a grammar school in said town forever. And I do hereby direct that a special committee shall be annually chosen at the meeting of the said inhabitants, holden in the month of March, annually, for the purpose of managing and taking care of the said fund until a Board of Trustees may be established for that purpose as is hereinafter mentioned; and I do hereby expressly direct that the said principal sum of six thousand dollars shall be kept at interest and that the interest and produce thereof shall be applied and added to the said principal sum for the increase of the same until the same shall accumulate and amount to the sum of ten thousand dollars, before any part of the said interest or produce shall be applied and appropriated towards the support of the said school; and when the said principal sum shall amount to the sum of ten thousand dollars, then the annual interest and produce of the same shall be applied for and towards the support of a grammar school in the said town of Newburyport forever; and I do recommend to the said inhabitants to procure an act of incorporation, establishing a Board of Trustees, with suitable provisions for the purpose of preserving the said fund and applying the nterest and produce thereof according to my intention as hereinbefore expressed, and so order and direct that the whole principal sum and the securities belonging to the same shall be transferred and paid over to the said trustees, whenever they may be appointed pursuant to such act of incorpor-

ation, to be managed by them for the purposes aforesaid, instead of a committee as is before mentioned."

EXTRACT from the codicil to the will of MOSES BROWN, late of Newburyport, merchant, deceased; executed April 25, 1826:

And respecting my bequest in my said will for the use and benefit of a grammar school in said Newburyport, I do hereby further limit and restrict the same in manner following, to wit: The said sum of six thousand dollars shall be invested in good public stocks or other good securities on interest and the interest or produce thereof shall be applied and added to the said principal sum for the increase of the same until the same shall accumulate and amount to the sum of fifteen thousand dollars before any part of the said interest or income shall be applied and appropriated towards the support of said school; and when the said first mentioned sum of six thousand dollars, shall thus have accumulated and shall amount to the said sum of fifteen thousand dollars; then the same shall be kept, and remain a permanent fund forever, and the annual income and produce thereof shall be applied for and toward the support of a grammar school in said town of Newburyport, and for no other purpose or use forever. And if at any time after said bequest shall have accumulated to the sum of fifteen thousand dollars, in manner aforesaid, any loss or losses of any part of said permanent fund shall occur, my will and desire in such case is, and I do hereby order that whosoever may then have the care and management of said fund shall set apart the whole or a portion of the income or produce of the remainder thereof, annually, according to their discretion, to be added to the said remainder of said permanent fund, together with accumulating interest upon interest until such loss or losses are fully made up and the said permanent fund is restored to the aforesaid sum of fifteen thousand dollars.

And if hereafter the inhabitants of said town shall discontinue or neglect to maintain a grammar school in said town for the space of one full year at any one time in continuance, then the said bequest shall become forfeited thereby and shall with all its accumulated interest and capital and whatever may be due thereon at the time of such forfeiture revert and go to and be merged in the residue of my estate and be subject to the same disposition as is made of said residue in and by my said original will.

And I do hereby revoke and declare null and void all that part and those parts of my said original will which may be contrary unto or in any manner conflict with any of the provisions of this codicil.

In witness whereof I have hereunto set my hand and seal this twenty-fifth day of April, in the year of our Lord eighteen hundred and twenty-six.

MOSES BROWN. [SEAL.]

Signed, sealed, published and declared by the said Moses Brown, to be his codicil to his last will and testament in presence of us, who at his request and in his presence and in the presence of each other have hereunto subscribed our names as witnesses to the same.

THOMAS M. CLARK,
SAMUEL TENNEY,
SAMUEL MULLIKEN.

ESSEX, ss. Probate Office. A true copy of record; approved March 6, 1827.

Attest, JAMES ROPES, ASSISTANT REGISTER.

EXTRACTS from the will of Mrs. MARGARET ATWOOD, late of Newburyport, approved and allowed August 7, 1832; recorded O. S. Book 108, leaf 196.

"SEVENTH. There is at this time a school kept in the town of Newburyport, called an infant school, which I hope will be continued and patronized. I therefore devise, give and bequeath to my executors and their successors, as trustees, and in trust, forever, for the use of said infant school, an annual legacy of twenty dollars, to be annually appropriated for the benefit and use of said infant school, at the discretion of my executors and their successors, jointly, with the selectment of the town of Newburyport for the time being forever.

TENTH. By this, my will, it is evident, and I declare it to be my intention, that all the foregoing legacies with the exception of a part of the legacy to my son and the legacies to John Atwood, Susan Atwood and Betsy Atwood, are to be paid from the income of my property; and therefore, after paying the several foregoing annual legacies from year to year, as I have provided, I devise, give and bequeath to my executors and their successors, as trustees and in trust forever, the rest, residue and remainder of the income of all my estate, to be by them paid over for the best interest of the poor of the town of Newburyport, and to the proper officers thereof; and whenever by death or by operation of law any of the foregoing legacies shall be determined and cease, I declare the same to merge in and become a part of this my residuary legacy, and to belong thereto, and appropriated accordingly.

TWELFTH. As my executors hereinatter named must all soon follow me to the grave, I authorize and empower the Judge of Probate for the time being in the county, in which the town of Newburyport may be situated, immediately on the decease of any one of them to appoint a successor and successors as executors and trustees of this my will forever with all the authority given to my executors herein named."

ESSEX ss. December 2, 1869,

A true copy of record in the Probate Office.

Attest, JAMES ROPES, ASSISTANT REGISTER.

A true EXTRACT from the will of JOHN BROMFIELD, late of the city of Boston, merchant, deceased:

* * * * "I order the sum of ten thousand dollars to be invested at interest, in the Hospital Life Insurance Company, in the city of Boston, so and in such manner as that the Selectmen or other duly authorized agents of the town of Newburyport for the time being, may, annually, receive the interest which shall accrue or become payable for, or in respect of said deposite; and I direct,

that by or in behalf of said town, the interest so received shall be annually expended, one-half in keeping the sidewalks in the public streets of said town in good order, and the other half in the planting and preserving trees in said streets, for the embellishing and ornamenting of said streets for the pleasure and comfort of the inhabitants." * * * * * *

Attest, WILLIAM C. BROWN, REGISTER.

A true EXTRACT from the will of OLIVER PUTNAM, late of the city of Boston, deceased:

* * * "The residue of my property I give and bequeath for the establishment of a free English school, in Newburyport, for the instruction of youth, wherever they may belong. If at the final payment of the foregoing legacies, it should amount to fifty thousand dollars, the executors will then pay it over as hereafter provided; but if not, they will retain it to accumulate until it amounts to that sum, and then pay it over to trustees for that purpose to be appointed by the Selectmen of Newburyport. After the first appointment of trustees, vacancies in their Board to be filled by nomination from them, subject to the approval of the said Selectmen, who besides are always and at all times to have and exercise the right of visitation for the purpose of looking to the security of the funds and that the interest or income of them is applied according to the bequest. In the selection of trustees no reference is to be had to their places of residence, but only to their qualifications for the trust. The trustees are to invest the whole principal in good and sufficient securities, bearing interest or producing income, to the satisfaction of the said Selectmen, to be and remain a permanent fund, the interest or income only of which to be applied to the establishment and support of the school. The youth to be instructed in reading, writing and arithmetic, and particularly in the English language, and in those branches of knowledge necessary to the correct management of the ordinary affairs of life whether public or private, but not in the dead languages. The monitorial system of instruction to be introduced and used so far as it may be found on experience that it can be done with advantage." * * *

Attest, WILLIAM C. BROWN, REGISTER.

COPY of the vote of the Selectmen of Newburyport, appointing the Trustees of the Putnam Free School.

NEWBURYPORT, February 27, 1838.

We, the undersigned, in compliance with the will of the late MR. OLIVER PUTNAM, and by authority therein given, have this day, at a special meeting held

for that purpose at the Selectmen's Room, chosen and appointed the following named persons, viz: Caleb Cushing, Edward S. Rand, Rev. Daniel Dana, William B. Banister, Josiah Little, Ebenezer Stone, Henry Johnson and Roger S. Howard, to be the trustees under the will. Signed,

CHARLES H. BALCH,
JOHN N. CUSHING,
JEREMIAH COLMAN,
HENRY MERRILL,
NATHANIEL HORTON.
} SELECTMEN OF NEWBURYPORT.

A true copy as of record.

Attest, ELEAZER JOHNSON, 3D,
TOWN CLERK of Newburyport.

[Special Acts of 1838, Chapter 85.]

AN ACT TO INCORPORATE THE TRUSTEES OF THE PUTNAM FREE SCHOOL IN NEWBURYPORT.

WHEREAS Oliver Putnam, late of Boston, deceased, by his last will and testament, bequeathed the sum of fifty thousand dollars for the establishment and support of a free English school in Newburyport, in the county of Essex: therefore,

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Caleb Cushing, Edward S Rand, Daniel Dana, William B. Bannister, Josiah Little, Ebenezer Stone, Henry Johnson and Roger S. Howard, and their successors, are hereby made a corporation, by the name of the Trustees of the Putnam Free School, to be established in the town of Newburyport, in the county of Essex, with all the powers and privileges, and subject to all the restrictions and limitations, set forth in the forty-fourth chapter of the Revised Statutes, with the liberty of holding and managing real and personal estate, the net income of which shall not exceed six thousand dollars, to be applied exclusively to the purpose of education,

in conformity with the provisions in the will of Oliver Putnam, late of Boston, deceased.

SECT. 2. The treasurer of said trustees shall give bond, to their satisfaction, for the security of all moneys, papers, and funds, belonging to said trust, which may come to his hands, as well as for the faithful discharge of the duties of his office.

SECT. 3. The said trustees may remove any member of their board, when disqualified, by age or otherwise, to discharge the duties of his said office, by vote of two-thirds of the other members, and, by a similar vote, shall fill any vacancy in their board, under the limitation and in the manner provided in the will of the said Putnam. [Approved April 9, 1838.

Board of Trustees of Putnam Free School,--1870,

AND DATE OF THEIR ELECTION.

HENRY C. PERKINS, PRESIDENT	Elected	November 8, 1851
JOHN N. PIKE, SECRETARY AND TREASURER	"	May 6, 1863.
CALEB CUSHING	"	February 27, 1888.
JOSIAH L. HALE	"	February 18, 1856.
WILLIAM GRAVES	"	December 1, 1858.
EBEN F. STONE	"	December 1, 1858.
WILLIAM CUSHING	"	March 31, 1859.
FRANCIS A. HOWE	"	November 15, 1869

NEWBURYPORT PUBLIC LIBRARY.

The Newburyport Public Library was founded in September, A.D. 1854, by the Hon. JOSIAH LITTLE, who gave to the city the liberal sum of five thousand dollars for the object. Hon. CHARLES JACKSON and Col. SAMUEL SWETT, of Boston, added large donations in books and money. The terms of the donation were as follows:—

"We, the subscribers, agree to furnish the Mayor and Aldermen of the city of Newburyport, with the books, or sums of money, affixed to our names, to form a Public Library for the use of the inhabitants of said city, to be managed by said Mayor and Aldermen, and their successors in office, as trustees; and also for the use of the inhabitants of the towns of Newbury and West Newbury, equally with those of said city, provided said towns pay their proportion of the expenses of managing said Library compared with those incurred by said city for that purpose, said proportion to be in the ratio of the respective appraisement of said city and towns in the State valuation; and also that said towns pay one per cent jointly per annum on the cost of the apartments or building employed for said Library; the General Regulations of said Library to be adopted by the City Government of Newburyport."

EXTRACT from the will of the late MATTHIAS PLANT SAWYER, of Boston:

"I give to the city of Newburyport the sum of five thousand dollars, in trust, to hold the same, and invest and reinvest the same in such public stocks as the government of said city for the time being may think best; and to pay over the income thereof, as often as once in each year, to the persons having the control and charge of the Public Library in said city, to be by them invested in the purchase of books."

THE NEWBURYPORT PUBLIC LIBRARY BUILDING,

which was purchased with a fund raised by subscriptions of public spirited citizens of Newburyport, and former residents of the city, at a cost of upwards of sixteen thousand dollars, was conveyed to the city together with the surplus fund of five

thousand dollars for the maintenance and repair of the edifice, in the following deeds of trust:—

Know all men by these presents,—

That we, Edward S. Moseley, Joshua Hale, and Charles M. Bayley, all of Newburyport, in the County of Essex, and Commonwealth of Massachusetts, for good and lawful considerations us hereunto moving, do hereby give, grant, and convey unto the Mayor and Aldermen of the city of Newburyport for the time being, all the right title, and interest which we have in and to a certain piece of land, with the buildings thereon, situate in said Newburyport, and bounded as follows; namely:—

Beginning at the southerly corner thereof, on State street, by land of Dana Dodge and William Dodge; and thence running by said last-mentioned land, and by land of Moses Emery, deceased, north 52 deg., 15 min., west, one hundred and sixty-eight feet eight inches, to land of the heirs of Benjamin Hale, deceased; thence, by said heirs' land, north 36 deg., 30 min. east, ninety-eight feet five inches; thence, by said heirs' land, south 57 deg. east, one hundred and sixty-two feet three inches, to said State street; thence, by said State street, south 32 deg., 45 min. west, one hundred and twelve feet two inches, to the bound first mentioned; containing, in all, sixty-three rods and 89-100ths of a rod; being the same conveyed to us by Jeremiah Colman and William Ashby by deed of April 16, A.D. 1864.

To have and to hold the above granted premises to the said Mayor and Aldermen, and their successors in office, to them and their use and behoof forever. In trust, nevertheless, for the subscribers to the fund for a Public-library building, under and subject to the following conditions; namely:—

First, That all the property and estate conveyed shall be dedicated, and appropriated in perpetuity, to use exclusively for the City Library, and for the reception of suitable objects of science and art.

Secondly, That the Library shall not be open for public use on the Lord's Day.

Thirdly, That the Library shall be administered by a Board of Directors chosen and appointed by the City Council, together with the three persons, or their successors, constituted by the subscribers to be trustees of the surplus fund of subscription.

And we, the said grantors, for ourselves, and our heirs, executors, and administrators, do covenant with the said grantees, and their successors in office, that we are lawfully seized in fee-simple of the aforegranted premises; that they are free from all encumbrances done or suffered by us; that we have good right to give, grant, and convey the same to the said grantees, and their successors in office, forever, as aforesaid; and that we will, and our heirs, executors, and administrators shall, warrant and defend the same to the said grantees, and their successors in office, forever, against the lawful claims and demands of all persons claiming the same by, from, or under us.

In witness whereof, we, Edward S. Moseley, Joshua Hale, and Charles M. Bayley, and we, Charlotte A., wife of said Edward, and Sophia C., wife of said Joshua, and Charlotte C., wife of said Charles, in token of our release of all right and title of and to both dower and homestead in the abovegranted prem-

ises, have hereunto set our hands and seals, this twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-five.

Signed, sealed, and delivered in presence of

CHARLES THURLOW, } *Witnesses.*
B. GARDINER GERRISH, }

EDWARD S. MOSELEY,
JOSHUA HALE,
[Stamp.] CHARLES M. BAYLEY, [L. S.]
CHARLOTTE A. MOSELEY.
SOPHIA C. HALE,
CHARLOTTE C. BAYLEY.

COMMONWEALTH OF MASSACHUSETTS,
Essex, ss., 22d Sept., 1865.

Then personally appeared the within-named Edward S. Moseley, Joshua Hale, and Charles M. Bayley, and acknowledged the foregoing instrument to be their free act and deed.

Before me,

M. E. HALE,
JUSTICE OF THE PEACE.

WHEREAS certain persons, with a view of donating a suitable building to the city of Newburyport for the Public Library, subscribed sums of money for that purpose, and at a meeting duly notified, held on the third day of February, A.D. 1864, appointed Edward S. Moseley, Joshua Hale, and Charles M. Bayley, a committee, with full powers to carry their views into effect; and whereas, in pursuance thereof, the building has been purchased and prepared, and a deed thereof, on certain conditions, has been given to the city, leaving, however, money in the hands of said committee unexpended:—

Now, this indenture, made and concluded this thirteenth day of October, A.D. 1865, by and between said Moseley, Hale, and Bayley, in their official capacity as the representatives of the subscribers, party of the first part; and Edward S. Moseley, Caleb Cushing, and Henry C. Perkins, subsequently chosen by said subscribers at a meeting duly called for that purpose,—namely, on the second day of October, A.D. 1865,— as trustees of the unexpended balance of said subscription, party of the second part,—

Witnesseth, That for and in consideration of the sum of one dollar to them, the said committee, paid by the said trustees (the receipt whereof the said party of the first part doth hereby acknowledge), the said committee—namely, Moseley, Hale, and Bayley—hath given, granted, and conveyed, and by these presents doth hereby give, grant, and convey, unto the said Moseley, Cushing, and Perkins, trustees, and to their successors, the balance of the funds subscribed and unexpended by said committee, amounting to five thousand dollars, or thereabouts; provided always, and these presents are on this condition nevertheless,

that the said trustees, party of the second part, shall keep the principal of the same invested, according to their best judgment, either by depositing in any savings bank, or by investments now authorized by this Commonwealth for such institutions, with power to expend the income thereof in the repair of the Library Building, or its general maintenance, in accordance with votes heretofore passed by the said subscribers; making an annual report to the Directors of the Public Library of their action in the premises; with the authority, on the resignation or decease of any one of the said trustees, for the survivors to appoint his successor with full powers to act as aforesaid; and in case of the death or resignation of two of said trustees, without the vacancy thereby created having been filled, then the sole survivor shall have power to fill both vacancies.

And in case the places of all of the trustees become vacant, then new trustees may be appointed by the Supreme Judicial Court, on application of the city of Newburyport. And it is further agreed, that the city of Newburyport shall have the right at any time to make due application to the Supreme Judicial Court for the prevention or correction of any act of malfeasance in the execution of said trust; said court to have the same jurisdiction in the premises as in other matters of trust, under the statutes of the Commonwealth.

In witness whereof, the parties aforesaid have hereunto set their hands and seals, this thirteenth day of October, A.D. 1865.

Signed, sealed, and delivered in presence of

M. E. Hale.

Edward S. Moseley,
Joshua Hale,
[Stamp.] Charles M. Bayley, [L. s.]
Edward S. Moseley,
Caleb Cushing,
Henry C. Perkins.

In accordance with the above instrument, the surplus fund of five thousand dollars, set apart for the maintenance and repair of the Public Library Building, is now held in trust by Edward S. Moseley, Caleb Cushing, and Henry C. Perkins, Trustees, and is invested in the "Institution for Savings in Newburyport and vicinity," on condition that it shall be subject to withdrawal only on the order of two-thirds of the trustees; the said trustees being empowered by the donors to fill any vacancies that may occur in their board, and in case of two vacancies existing at the same time, the remaining member to have the right to fill both; and if at any time the board shall cease to be represented, the Supreme Judicial Court to fill the same.

A report of the condition of the fund, and of the action of the Trustees is annually required to be made to the Directors of the Library.

DONATION OF GEORGE PEABODY.

[*Letter from George Peabody to Edward S. Moseley, and others.*]

SALEM, February 20, 1867.

To EDWARD S. MOSELEY, Esq., Hon. CALEB CUSHING, Dr. HENRY C. PERKINS, Hon. EBEN F. STONE and JOSHUA HALE, Esq.

Gentlemen:—Wishing to mark my memory of that portion of my youth which was passed in your town, and my grateful appreciation of kindness there shown to me, as well as of the pleasant relations which have existed since that time between many of your fellow citizens and myself, and finding on consultation and inquiry that the interests of the inhabitants of Newburyport may be well promoted by increasing the scope and usefulness of your Public Library, which has already accomplished so much good, I take pleasure in giving to you and your successors, the sum of fifteen thousand dollars, to be by you and them held in trust, and kept permanently invested, and the income thereof used and applied, in your and their discretion, to the enlargement of the Public Library of the city of Newburyport.

A part of this income may be applied, if you shall think proper, to the engrafting upon the Library a Reading Room for Periodical Literature, of high character, to which all may have access, under such restrictions as your experience may determine.

In the selection of periodicals to be placed in this room, I would request that no preference be given as regards either political character or religious denomination, and that none shall be admitted which shall malign or be abusive of the people of any portion of our common country; or which shall have a tendency to encourage sectional animosities, or to weaken the bonds of unity which should ever exist between all the states of our beloved Union.

I leave to your discretion the proportion to be applied to the Reading Room, or to other departments of the Library, but would recommend that the larger portion of the income should be devoted to the purchase of standard works for the general Library.

In case of a vacancy or vacancies occurring in your number, from whatever cause, I direct that the same shall be filled so soon thereafter as may be by your election.

I hereby give to you the power to organize and to choose a Treasurer, and I direct that the income derived from this gift be kept separate and distinct from that derived from other sources, and that an annual report of the condition of the fund and amount of income be prepared and published by yourselves and your successors.

I am with great respect, your humble servant,

GEORGE PEABODY.

[*Letter from E. F. Stone to George Peabody.*]

NEWBURYPORT, February 22, 1867.

GEORGE PEABODY,

Dear Sir:—In behalf of the associate gentlemen whom you have named as trustees, I have the honor to acknowledge the receipt of your letter of the 20th inst., informing us of the gift by you to us and our successors, of the sum of fifteen thousand dollars, to be held by us in trust, for the use and enlargement of the Public Library of the city of Newburyport.

While regarding with admiration the wise and unexampled beneficence which has marked your dispensation of the fortune with which you have been blessed by Providence, our citizens have often referred with special pride to the fact that you passed a portion of your youth in this city: and it will be extremely grateful to them to find by this substantial token of your regard that you still cherish a pleasant recollection of this place, and take a kindly interest in its welfare and happiness.

The trustees have appointed Edward S. Moseley, Esq., as their treasurer, and he has consented to serve in that capacity.

In the administration of the trust with which you have been pleased to honor us, it will be our aim and our desire to have regard to your suggestions in relation to the disposition of the income, and of the mode in which the trust shall be preserved and perpetuated, and in all respects to give effect to your wishes as expressed in your letter which accompanied the gift.

I am with much respect,

Your obedient servant,

E. F. STONE.

[*Letter from George Peabody to E. S. Moseley.*]

SALEM, February 23, 1867.

E. S. MOSELEY, Esq., Newburyport.

Dear Sir:—I have to acknowledge the receipt of a letter from Hon. E. F. Stone, accepting, on behalf of yourself and the other gentlemen named in my letter of the 20th ult., the charge of the trust therein created by me for the use and enlargement of the Public Library of the city of Newburyport.

As I am informed by Mr. Stone's letter that you have been appointed by the trustees as the treasurer, I beg to enclose to you a check for fifteen thousand dollars, the amount of the gift in the letter to which I have referred.

I am with great respect,

Your humble servant,

GEORGE PEABODY.

The principal of this Fund ($15,000) has been deposited with the "Institution for Savings in Newburyport and vicinity," and is subject to withdrawal only upon the written

order of a majority of the Trustees of said Fund. As required in the letter of Mr. Peabody, conveying the gift, an annual report of the condition of the Fund and amount of income is prepared and published for the information of the public.

Donation of William C. Todd, to establish a Free Public Reading Room.

Washington, D. C., March 26, 1870.

To the Directors of the Newburyport Public Library:

I have long wished in some way to show my regard for a city where I so long resided, and where I hope in the future to spend more or less time. I have thought I could in no manner better do this than by aiding to establish a Free Public Reading Room for the journals of the day, a want seriously felt, not only in Newburyport, but in most other cities. In no other country are the journals so much read as in ours—in none do they exert so great an influence. With many they form almost the only reading, and I presume in Newburyport hundreds read the papers every day, who do not once in a year take a book from the Public Library. The expense of many papers is, however, too serious for most to incur, and where only one is taken but a partial idea can be formed of the thought of the nation at large. The journals circulated in New England are mainly Boston papers giving Massachusetts views, and, however excellent these may be, it can do no harm to compare them with those of other sections. I propose then, to the Directors of the Public Library, if they will provide a room, attendance, etc., to pay three hundred dollars annually for five years, all to be expended for journals, which will furnish probably from fifteen to twenty first-class daily, and as many weekly papers, sufficient, if judiciously selected, to give a clear idea of the national spirit of the press. If the interest felt in the Reading Room and its good influence, shall be as great as I trust and believe will be the case, it is my intention to give a trust fund of five thousand dollars to render it a permanent institution.

If this proposition is accepted, as I trust it will be, I have only a few conditions to prescribe, and those would probably be adopted without any suggestion. I should wish the journals always so divided among the two great political parties that no party bias shall be shown. It should be understood, also, that the Reading Room is for the ladies as well as the gentlemen of the city, and if any special arrangement is needed for them, as I do not judge will be, it will be made; so many of them were my pupils in the Female High School that I naturally feel an interest in them, and have had them in my mind equally with the gentle-

men in this proposition, especially as it is understood they possess half the intelligence of the city, and in the progress of events may one day have more than half the votes.

Very respectfully yours,

WILLIAM C. TODD.

At a meeting of the Directors held April 12, 1870, it was voted to accept the generous donation of Mr. William C. Todd, and that the thanks of the Board be extended to him therefor.

The Trustees of the Peabody Fund being authorized by the terms of Mr. Peabody's gift, if in their judgment expedient, unite with Mr. Todd in appropriating Three Hundred Dollars per annum towards the same object, and the Trustees of the Building Fund furnish the amount necessary for the preparation of the rooms in the Public Library Building.

TABULAR STATEMENT OF THE CITY, COUNTY, AND STATE TAXES,

And rate of taxation per $1000 ; also, the number of Polls from 1851 to 1869, inclusive.

Year.	No. of Polls.	Valuation of Real Estate.	Valuation of Personal Estate	Total Valuation.	Amount of City Tax.*	Amount State Tax.	Amount of County Tax.	Total Tax.	Taxation per $1000.00.
1851	2517	2,596,400	2,880,200	5,476,600	33,597.98	.....	5,227.76	38,825.74	6.40
1852	2827	2,764,800	2,796,700	5,561,500	43,504.74	.....	5,227.76	48,732.50	8.00
1853	2997	2,902,100	2,931,500	5,833,600	40,232.74	2,787	5,227.76	48,257.50	7.50
1854	2770	3,302,500	3,483,000	6,785,500	41,434.50	2,787	7,432.00	51,653.50	7.00
1855	2977	3,419,100	3,554,000	7,003,100	48,877.80	4.180½	7,432.00	60,590.30	8.00
1856	2972	3,453,500	3,762,700	7,216,200	50,931.70	5,574	9,290.00	65,795.70	8.50
1857	2705	3,424,200	3,603,600	7,027,800	49,656.70	8,361	9,290.00	67,307.80	9.00
1858	2708	3,287,100	3,529,300	6,816,400	48,582.63	3,344	7,560.21	59,486.84	8.00
1859	2529	3,212,700	3,630,000	6,842,700	58,741.88	2,790	8,505.24	70,037.12	9.60
1860	2412	3,200,800	3,544,800	6,745,600	61,654.80	2,325	8,694.24	72,674.04	10.20
1861	2430	3,150,600	3,447,500	6,608,100	60,521.79	2,346	9,369.95	72,237.74	10.40
1862	2462	3,056,000	3,163,450	6,219,450	62,648.67	14,076	7,808.29	84,532.96	12.80
1863	2348	3,048,700	3,395,000	6,443,700	68,337.11	18,768	7,808.29	94,913 40	14.00
1864	2528	3,268,700	3,425,000	6,693,700	72,193.84	18,768	7,805,96	98,767.80	14 00
1865	3000	3,349,200	4,032,800	7,382,000	90,336.05	36,660	8,188.95	135,195.00	17.50
1866	3126	3,379,700	3,834,500	7,214,200	129,768.35	23,400	8,188.95	161,357.30	21.50
1867	2893	3,906,600	4,054,100	7,960,700	116,173.30	39,000	9,826.70	165,000.00	20.00
1868	3388	3,743,800	3,479,800	7,223,600	110,160.78	15,600	9,417.30	135,195.08	17.80
1869	3242	3,858,000	3,569,700	7,427,700	116,950.27	19,500	8,188.95	144,639.22	18.60

*The Assessors overlay is included in these amounts.

CATALOGUE

OF THE

Government of the City of Newburyport,

IN CHRONOLOGICAL ORDER,

FROM

1851 to 1870.

1851.

MAYOR.

CALEB CUSHING.

ALDERMEN.

WARD 1.—THOMAS HUSE.
WARD 2.—JOHN PORTER.
WARD 3.—MOSES DAVENPORT.*
WARD 4.—NATHANIEL HORTON.*
WARD 5.—JOHN M. COOPER.*
WARD 6.—JOSEPH ROBERTS.*

COMMON COUNCIL.

President—EBEN F. STONE.

Clerk—EDWARD BURRILL.

WARD 1.
John Woodwell,*
George W. Knight,
Zacheus P. Thurlow.

WARD 2.
Philip Johnson,*
Frederick Knight,
Jacob Stone.

WARD 3.
Isaac H. Boardman,
Charles J. Brockway,
Moses Hale.*

WARD 4.
Eben F. Stone,
Philip K. Hills,
William C. Balch.

WARD 5.
Jacob Horton,
Jacob Hale,*
Albert Russell.

WARD 6.
John Currier, jr.,
John Colby,*
Joseph Newell.

CITY CLERK.

ELEAZER JOHNSON.*

CITY MESSENGER.

DAVID E. CUTTER.

*Deceased.

TREASURER AND COLLECTOR.

JONATHAN COOLIDGE.*

SCHOOL COMMITTEE.

Ward 1.—Geo. J. L. Colby,		Ward 4.—Daniel P. Pike,	
	Hervey Kimball.		J. H. Sawyer.*
Ward 2.—William Graves,		Ward 5.—H. W. Kinsman,*	
	Mark Symons.		Edwin Lawrence.
Ward 3.—Randolph Campbell,		Ward 6.—H. Merrill, jr.,	
	Newman Brown.		A. L. Merrill.

OVERSEERS OF THE POOR.

Eleazer Johnson,* Daniel P. Pike,
Joseph Morse.

ASSESSORS.

Eleazer Johnson,* John Stone,
Daniel Granger.

CHIEF ENGINEER.

NATHANIEL HUNT.*

ASSISTANT ENGINEERS.

Edward Burrill,	George Fitz,
Simon Jordan,	Hiram Canney,
Charles R. Sargent,	Moses M. Ross,
Joseph S. Bayley,	Edmund Bartlett, Jr.,
Philip K. Hills,	Norman C. Greenough,*
Thomas H. Lord,	Joseph Pickett.

CITY MARSHAL.

JAMES CARY.

CONSTABLES.

James Cary,	Stevens Dockham,	John Akerman,
David E. Cutter,	David F. Brown,	Samuel Caswell.

*Deceased.

1852.

MAYOR.

CALEB CUSHING.†
HENRY JOHNSON.‡

ALDERMEN.

WARD 1.—THOMAS HUSE.
WARD 2.—PHILIP JOHNSON.*
WARD 3.—MOSES DAVENPORT.*
WARD 4.—NATHANIEL HORTON.*
WARD 5.—JOHN M. COOPER.*
WARD 6.—JOSEPH ROBERTS.§
" " JOHN CURRIER, JR.‡

COMMON COUNCIL.

President, PHILIP K. HILLS.

Clerk, EDWARD BURRILL.

WARD 1.
John Woodwell,*
George W. Knight,
Edward Kimball.

WARD 2.
Edmund Pike,
Mark Symons,*
Rufus Smith.*

WARD 3.
Isaac H. Boardman,
Moses Hale,*
Samuel T. Payson.

WARD 4.
Philip K. Hills,
William C. Balch,
Eben F. Stone.

WARD 5.
George W. Hill,
Silas E. Sherman,
Enoch G. Currier.

WARD 6.
John Currier, jr.†
Geo. W. Jackman, jr.
John Colby.*
James L. Townsend.

CITY CLERK.

ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.

DANIEL GRANGER.

*Deceased.
†Resigned June 21, 1852.
‡Elected to fill vacancy.
§Deceased, August 12, 1852.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—William Gordon, Hervey Kimball.
Ward 2.—William Graves, Mark Symons.*
Ward 3.—Randolph Campbell, William W. Eells.‡
Ward 4.—Daniel P. Pike, Jere. H. Sawyer.*
Ward 5.—Benjamin I. Lane,* H. W. Kinsman.*
Ward 6.—E. P. Grosvenor,* Henry Merrill, jr.

OVERSEERS OF THE POOR.

Ward 1.—Charles H. Ireland.
Ward 2.—William Pritchard.*
Ward 3.—Daniel Colman.*
Ward 4.—Daniel P. Pike.
Ward 5.—Henry Stover.
Ward 6.—John Colby.*

ASSESSORS.

Newman Brown, Moses Pettingell, William E. Currier.

ASSISTANT ASSESSORS.

Daniel Colman,* George W. Jackman, jr., John F. Stickney.

CHIEF ENGINEER.

NATHANIEL HUNT.*

ASSISTANT ENGINEERS.

Edward Burrill, George Fitz,
Simon Jordan, Moses M. Ross,
Thomas H. Lord, Edmund Bartlett, jr.,

CITY MARSHAL.

JAMES CARY.

CONSTABLES.

James Cary, John Akerman, David F. Brown.. David E. Cutter, Aaron P. Sargent.*

NIGHT WATCHMEN.

CHARLES PEABODY, *Captain of the Watch.*

Gideon E, Leighton,* James Thurlow..

*Deceased. †Resigned. ‡Elected to fill vacancy.

1853.

MAYOR.

HENRY JOHNSON.*

ALDERMEN.

WARD 1.—MOSES PETTINGELL.
WARD 2.—PHILIP JOHNSON.*
WARD 3.—MOSES DAVENPORT.*
WARD 4.—ISAAC H. BOARDMAN.
WARD 5.—JOHN M. COOPER.*
WARD 6.—EDWARD TOPPAN.*

COMMON COUNCIL.

President, PHILIP K. HILLS.
Clerk, EDWARD BURRILL.

WARD 1.
David T. Woodwell,
Samuel Pettingell, jr.,
Nathaniel W. Hurd.

WARD 2.
Nathan Poor,*
Edmund Bartlett, jr.,
John H. Smith.

WARD 3.
Samuel T. Payson,
Moses Hale,*
Robert Robinson, 3d.

WARD 4.
Philip K. Hills,
Eleazer R. Walker,*
Nehemiah Flanders.

WARD 5.
Enoch G. Currier,
George W. Hill,
Robert Robinson.*

WARD 6.
Joshua Hale,
John M. Tukesbury,
William Goodwin.

CITY CLERK.

ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.

DANIEL GRANGER.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—Matthew Merriam, George J. L. Colby.
Ward 2.—Mark Symons,* Jacob Haskell.*
Ward 3.—William W. Eells, Daniel M. Read.
Ward 4.—Sam'l J. Spaulding, Alpheus Crosby.
Ward 5.—Henry W. Kinsman,* Benjamin I. Lane.
Ward 6.—E. P. Grosvenor,* Henry Merrill, jr.

OVERSEERS OF THE POOR.

Ward 1.—Charles H. Ireland.
Ward 2.—Charles Currier.*
Ward 3.—Daniel Colman.*
Ward 4.—Henry Stover.
Ward 5.—Isaac Pearson.*
Ward 6.—John Colby.*

ASSESSORS.

Newman Brown, Tristram Coffin, jr., William E. Currier.

ASSISTANT ASSESSORS.

John Stone, Joseph Bartlett,* William Davis.

CHIEF ENGINEER,

NATHANIEL HUNT.*

ASSISTANT ENGINEERS.

Edward Burrill, Edmund Bartlett, jr., Moses M. Ross, Thomas H. Lord, Simon Jordan, Geo. W Jackman, jr.

CITY MARSHAL.

DAVID F. BROWN.

CONSTABLES.

David F. Brown, David E. Cutter, James Cary, Samuel Caswell, John Akerman,

*Deceased.

1854.

MAYOR.

MOSES DAVENPORT.*

ALDERMEN.

WARD .1—DAVID T. WOODWELL.
WARD 2.—WILLIAM GRAVES.
WARD 3.—SAMUEL T. PAYSON.
WARD 4.—FREDERICK J. COFFIN.
WARD 5.—JABEZ L. PEARSON.*
WARD 6.—GEO. W. JACKMAN, JR.

COMMON COUNCIL.

President, MOSES HALE.*
Clerk, JACOB HASKELL.*

WARD 1.
George J. L. Colby,
Charles W. Hale,
Charles Lunt.

WARD 2.
John H. Smith,
George W. Hale,
William Pritchard.*

WARD 3.
Moses Hale,*
Jeremiah R. Ireland,
Daniel S. Blake.

WARD 4.
Nehemiah Flanders,
William H. Brewster,
Samuel S. Blake.

WARD 5.
William H. Huse,
Edward Burrill,
Henry Bartlett.

WARD 6.
Emery Coffin,
Solomon P. Felker,
William Merrill.

CITY CLERK.

ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.

DANIEL GRANGER.

*Deceased.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—Burtus Judd, Major Goodwin.*
Ward 2.—Nathaniel Hills, Wm. E. Currier.
Ward 3.—Joseph H. Bragdon, Edward H. Holland.*
Ward 4.—Alpheus Crosby, Daniel P. Pike.
Ward 5.—Henry W. Kinsman,* Daniel M. Read.
Ward 6.—E. P. Grosvenor,* Henry Merrill, jr.

OVERSEERS OF THE POOR.

Ward 1.—John Woodwell.*
Ward 2.—Charles Currier.*
Ward 3.—David Currier.*
Ward 4.—Henry Stover.
Ward 5.—Isaac Pearson.*
Ward 6.—John Colby.*

ASSESSORS.

William E. Currier, Wm. C. Williams,* William Hale.*

ASSISTANT ASSESSORS.

Joseph Bartlett,* Moses D. Randall, John F. Stickney.

CHIEF ENGINEER.

MOSES M. ROSS.

ASSISTANT ENGINEERS.

Charles W. Hale, Thomas H. Lord, Norman C. Greenough,*
John B. Seward, Edward Burrill, Geo. W. Jackman, jr.

CITY MARSHAL.

DAVID F. BROWN.

CONSTABLES.

James Cary, John Akerman, *Aaron P. Sargent.

WATCHMEN.

Gideon E. Leighton,* Moses S. Hodgdon,* Asa Davis,* Samuel Caswell.

*Deceased.

1855.

MAYOR.

MOSES DAVENPORT.*

ALDERMEN.

WARD 1.—NATHANIEL GREELY.
WARD 2.—WILLIAM PRITCHARD.*
WARD 3.—SAMUEL T. PAYSON.
WARD 4.—FREDERICK J. COFFIN.
WARD 5.—ENOCH G. CURRIER.
WARD 6.—THOMAS ATWOOD.

COMMON COUNCIL.

President, CHARLES W. HALE.
Clerk, JACOB HASKELL.*

WARD 1.
Charles W. Hale,
Lorenzo D. Ross,
Moody Kimball.

WARD 2.
George W. Hale,
Thomas H. Lord,
John S. Gilman.*

WARD 3.
Benjamin Davis, jr.,
William Cushing,
John B. Pritchard.

WARD 4.
William H. Brewster,
Nehemiah Flanders,
Philip K. Hills.

WARD 5.
Robert Robinson, 3rd,
Daniel H. Cutter,
Charles Pearson.

WARD 6.
John F. Lee,
Ebenezer Whitmore,
Joseph G. Flanders.

CITY CLERK.
ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.
DANIEL GRANGER.

*Deceased.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—Philip D. Adams, William Collins, jr.,
Ward 2.—Nathaniel Hills, Geo. W. Campbell,*
Ward 3.—Newman Brown, George W. Geary.
Ward 4.—William C. Balch, Samuel J. Spalding,
Ward 5.—John Pearson, jr., M. Otis Hall,
Ward 6.—Stephen Badger, jr., Jere. H. Sawyer.*

OVERSEERS OF THE POOR.

Ward 1.—Isaac P. Noyes.
Ward 2.—Charles Currier*.
Ward 3.—Sam'l H. Rundlett.
Ward 4.—Henry Stover.
Ward 5.—Isaac Pearson.*
Ward 6.—Daniel L. Morse.

ASSESSORS.

Moses Pettingell, John Colby,* William E. Currier.

ASSISTANT ASSESSORS.

William Hale,* Isaac Pearson,* William Graves.

CHIEF ENGINEER.

MOSES M. ROSS.

ASSISTANT ENGINEERS.

Thomas H. Lord, Samuel T. Brown,
Geo. W. Jackman, jr., Charles W. Hale,
Norman C. Greenough,* John B. Seward.

CITY MARSHAL.

DAVID F. BROWN.

CONSTABLES.

David F. Brown, John Akerman.

WATCHMEN.

GEORGE N. YOUNG, *Captain of the Watch.*

Moses S. Hodgdon, Wm T. Dow, David K. Wells.

*Deceased.

1856.

MAYOR.

WILLIAM CUSHING.

ALDERMEN.

WARD 1.—NATHANIEL GREELY.
WARD 2.—WILLIAM GRAVES.
WARD 3.—BENJAMIN DAVIS, JR.
WARD 4.—PHILIP K. HILLS.
WARD 5.—ENOCH S. WILLIAMS.*
WARD 6.—THOMAS ATWOOD.

COMMON COUNCIL.

President, CHARLES W: HALE.
Clerk, JACOB HASKELL.*

WARD 1.
Charles W. Hale,
Geo. J. L. Colby,
Nathaniel W. Hurd.

WARD 2.
John S. Gilman,*
Greenleaf Dodge,
Thomas H. Lord,
Ralph C. Huse.†

WARD 3.
John B. Pritchard,
Charles W. Davenport,
William H. Swasey.

WARD 4.
Harrison G. Johnson,
John M. Smith,*
William Thurston.

WARD 5.
Samuel F. Towle,
Edward Burrill,
John T. Page.

WARD 6.
Winthrop O. Evans,
Joseph G. Flanders,
Solomon P. Felker.

CITY CLERK.
ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.
DANIEL GRANGER.

*Deceased. †Elected to fill vacancy occasioned by the death of J. S. Gilman.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—William Collins, jr., Charles C. Dame.
Ward 2.—William E. Currier, Randolph Campbell,
Ward 3.—Newman Brown, Warren Currier.
Ward 4.—William C. Balch, Samuel J. Spalding.
Ward 5.—John Pearson, jr. Henry B. Fernald.
Ward 6.—Moses Stevens,* James P. Rousseau.*

OVERSEERS OF THE POOR.

Ward 1.—Isaac P. Noyes.
Ward 2.—Charles Currier.*
Ward 3.—David Currier*.
Ward 4.—Richard Fowler.
Ward 5.—Isaac Pearson.*
Ward 6.—Daniel L. Morse.

ASSESSORS.

William E. Currier, Daniel Granger, Richard Fowler.

ASSISTANT ASSESSORS.

Andrew W. Miltimore,* George Greenleaf, Edmund Pike.

CHIEF ENGINEER.

MOSES M. ROSS.

ASSISTANT ENGINEERS.

Thomas H. Lord,
George W. Jackman, jr.,
Charles W. Hale,
Norman C. Greenough,*
John B. Seward,
Samuel T. Brown.

CITY MARSHAL.

DAVID F. BROWN.

CONSTABLES.

John Akerman, Aaron P. Sargent, D. C. Batchelder.

WATCHMEN.

GEORGE N. YOUNG, *Captain of the Watch.*

Moses S. Hodgdon,* Wm. T. Dow, Lewis Lowell.*

*Deceased.

1857.

MAYOR.

WILLIAM CUSHING.

ALDERMEN.

WARD 1.—CHARLES W. HALE.
WARD 2.—WILLIAM GRAVES.
WARD 3.—BENJAMIN DAVIS, JR.
WARD 4.—PHILIP K. HILLS.
WARD 5.—ENOCH S. WILLIAMS*.
WARD 6.—MOSES STEVENS.*

COMMON COUNCIL.

President, EDWARD BURRILL.

Clerk, JACOB HASKELL.*

WARD 1.
Lorenzo D. Ross,
David T. Woodwell,
Moses M. Merrill.

WARD 2.
Greenleaf Dodge,
Ralph C. Huse,
Edward W. Lunt.

WARD 3.
Henry C. Perkins,
Charles W. Davenport,
William H. Swasey.

WARD 4.
Harrison G. Johnson,
George W. Hill,
Thomas Pearson.

WARD 5.
John Bailey, jr.,
John T. Page,
Edward Burrill.

WARD 6.
Winthrop O. Evans,
Moses A. Currier,
Moses Sargent.*

CITY CLERK.

ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.

DANIEL GRANGER.

*Deceased.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—William Collins, jr.	Ward 4.—Sam'l J. Spaulding.
Moody D. Cook.	Daniel S. Blake.
Ward 2.—William E. Currier,	Ward 5.—John Pearson, jr.,
Richard Plumer.	Edward S. Moseley.
Ward 3.—Warren Currier,	Ward 6.—Daniel T. Fiske,
M. Otis Hall.	Moses Stevens.*

OVERSEERS OF THE POOR.

Ward 1.—Isaac P. Noyes.	Ward 4.—Richard Fowler.
Ward 2.—Edmund Pike.	Ward 5.—John Teel.
Ward 3.—David Currier.*	Ward 6.—Daniel L. Morse.

ASSESSORS.

William E. Currier, Daniel Granger, Nathaniel Greeley.

ASSISTANT ASSESSORS.

George Greenleaf, Edmund Pike, Edward H. Holland.*

CHIEF ENGINEERS.

MOSES M. ROSS.

ASSISTANT ENGINEERS.

George W. Jackman, jr.,	Charles W. Hale,
Norman C. Greenough,*	Samuel T. Brown,
Thomas H. Lord,	John B. Seward.

CITY MARSHAL.

JAMES P. L. WESTCOTT.

CONSTABLES.

John Akerman, D. C. Batchelder, Nehemiah Flanders.

WATCHMEN.

GEORGE N. YOUNG, *Captain of the Watch.*

N. Flanders, Moses S. Hodgdon,* Lewis Lowell.*

*Deceased.

1858.

MAYOR.

WILLIAM CUSHING.

ALDERMEN.

WARD 1—DAVID T. WOODWELL,
WARD 2.—WILLIAM GRAVES.
WARD 3.—BENJAMIN DAVIS, JR.
WARD 4.—PHILIP K. HILLS.
WARD 5.—SAMUEL F. TOWLE.
WARD 6.—THOMAS ATWOOD.

COMMON COUNCIL.

President, HENRY C. PERKINS.

Clerk, JOSEPH H. BRAGDON.

WARD 1.
Lorenzo D. Ross,
Moses M. Merrill,
Philip H. Richardson.

WARD 2.
Ralph C. Huse,
Greenleaf Dodge,
Edward W. Lunt.

WARD 3.
William H. Swasey,
Henry C. Perkins,
Charles W. Davenport.

WARD 4.
John N. Pike,
Isaac P. Seavey,*
Samuel S. Blake.

WARD 5.
John H. Page,
Daniel H. Cutter,
William Coffin.

WARD 6.
Winthrop O. Evans,
Samuel C. Currier,
William J. Currier.

CITY CLERK.

ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.

DANIEL GRANGER.

*Deceased.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—William Collins, jr., Moody D. Cook.
Ward 2.—William E. Currier, Richard Plumer.
Ward 3.—Warren Currier, Benj. R. Knapp.
Ward 4.—William Horton,* Enoch Cross.
Ward 5.—Edward S. Moseley, John Pearson, jr,
Ward 6.—Danisl T. Fiske, Hiram Tozer.

OVERSEERS OF THE POOR.

Ward 1.—Thomas H. Gould.
Ward 2.—Edmund Pike.
Ward 3.—David Currier.*
Ward 4.—Henry Stover.
Ward 5.—John Teel.
Ward 6.—William Merrill, jr.

ASSESSORS.

Nathaniel Greeley, Pottle Richardson, John Huse.

ASSISTANT ASSESSORS.

Edmund Pike, Thomas H. Gould, Edward H. Holland.*

CHIEF ENGINEER.

MOSES M. ROSS.

ASSISTANT ENGINEERS.

Norman C. Greenough,* Edward Burrill,
Charles W. Hale, Samuel T. Brown,
Charles E. Hinckley,* John P. McQuillen.

CITY MARSHAL.

JAMES P. L. WESTCOTT.

CONSTABLES.

James P. L. Westcott, Nehemiah Flanders.
D. C. Batchelder, John Akerman.

WATCHMEN.

GEORGE N. YOUNG, *Captain of the Watch.*

N. Flanders, Moses S. Hodgdon, Lewis Lowell.

*Deceased.

1859.

MAYOR.

ALBERT CURRIER.

ALDERMEN.

WARD 1.—MOODY D. COOK.
WARD 2.—RALPH C. HUSE.
WARD 3.—CHARLES W. DAVENPORT.
WARD 4.—FREDERICK J. COFFIN.
WARD 5.—EDWARD BURRILL.
WARD 6.—GEO. W. JACKMAN, JR.

COMMON COUNCIL.

President, HENRY C. PERKINS.

Clerk, JOSEPH H. BRAGDON.

WARD 1.
Philip H. Richardson,
Isaac Hale, jr.,
Charles C. Dame.

WARD 2.
Moody Lunt,
Isaac P. Noyes,
Hiram P. Macintosh.

WARD 3.
George J. George,
Henry C. Perkins,
William A. Davis.

WARD 4.
John N. Pike,
Isaac P. Seavey,*
William J. Creasey.

WARD 5.
William H. Huse,
John T. Page,
Daniel H. Cutter.

WARD 6.
John A. True,
John D. Pike,
William J. Currier.

CITY CLERK.

ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.

DANIEL GRANGER.

*Deceased.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—Henry Parmenter,	Ward 4.—Sam'l J. Spaulding.
Matthew Merriam.	John Q. A. Stone.
Ward 2.—Richard Plumer,	Ward 5.—Edward S. Moseley,
Nathaniel Pierce.	David Wood.
Ward 3.—Warren Currier,	Ward 6.—Francis A. Howe,
Benj. R. Knapp.	Henry Merrill, jr.

OVERSEERS OF THE POOR.

Ward 1.—William S. Evans.*	Ward 4.—Henry Stover.
Ward 2.—Nathaniel Hunt.*	Ward 5.—John Teel.
Ward 3.—David Currier.*	Ward 6.—Thomas Merrill, jr.

ASSESSORS.

Nathaniel Greely, Pottle Richardson, John Huse.

ASSISTANT ASSESSORS.

Wm. Coffin, Thomas H. Gould, Edward H. Holland.*

CHIEF ENGINEER.

MOSES M. ROSS.

ASSISTANT ENGINEERS.

Norman C. Greenough,*	John P. McQuillen.
Charles H. Goodwin,	Eben P. Cutter,
John B. Pritchard,	Isaac Poor.

CITY MARSHAL.

JAMES P. L. WESTCOTT.

CONSTABLES.

J. P. L. Westcott,	D. C. Batchelder,	N. Flanders.
John Akerman,	David E. Cutter,	Wm. F. Welch.

WATCHMEN.

SAMUEL T. BROWN, *Captain of the Watch.*

N. Flanders, John H. Brown. John B. Porter,
George N. Young, John J. Noyes.

*Deceased.

1860.

MAYOR.

ALBERT CURRIER.

ALDERMEN.

WARD 1.—ISAAC HALE, JR.
WARD 2.—NATHANIEL W. HURD.
WARD 3.—CHARLES W. DAVENPORT.
WARD 4.—DANIEL P. PIKE.
WARD 5.—EDWARD BURRILL.
WARD 6.—GEO. W. JACKMAN, JR.

COMMON COUNCIL.

President, CHARLES O. MORSE.
Clerk, JOSEPH H. BRAGDON.

WARD 1.
Charles C. Dame,
Hiram Janvrin,
Charles H. Goodwin.

WARD 2.
Moody Lunt,
Joseph G. Gerrish,
Richard Plumer.

WARD 3.
Charles O. Morse,
William A. Davis,
George J. George.

WARD 4.
George J. L. Colby,†
William J. Creasey,
Albert W. Bartlett,*
Charles M. Hodge.‡

WARD 5.
William H. Huse,
John T. Page,
Augustus Pearson.

WARD 6.
John J. Currier,
Albert S. Pettigrew,
John P. McQuillen.

CITY CLERK.
ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.
DANIEL GRANGER.

*Deceased. †Resigned. ‡Elected to fill vacancy.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—Benaiah G. Gerrish, Franklin Furber.
Ward 2.—Nathaniel Pierce, William E. Currier.
Ward 3.—Artemas B. Muzzey, M. Otis Hall.
Ward 4.—William Thurston, William Horton.*
Ward 5.—Edward S. Moseley, Nathan A. Moulton.
Ward 6.—Francis A. Howe, Joseph V. Jackman.

OVERSEERS OF THE POOR.

Ward 1.—Geo. W. Woodwell.
Ward 2.—Nathaniel Hunt.*
Ward 3.—David Currier.*
Ward 4.—Henry Stover.
Ward 5.—John Teel.
Ward 6.—Thomas Merrill, jr.

ASSESSORS.

Amos Wood,* Enoch G. Currier, Moses H. Fowler.

ASSISTANT ASSESSORS.

Thomas Pearson, Edward H. Holland,* William Coffin.

CHIEF ENGINEER.

JOHN B. PRITCHARD.

ASSISTANT ENGINEERS.

Charles H. Goodwin, Isaac Poor,
John P. McQuillen, William C. Colby,*
Eben P. Cutter, Daniel H. Smith.

CITY MARSHAL.

JAMES P. L. WESTCOTT.

CONSTABLES.

J. P. L. Westcott, Nehemiah Flanders, Wooster Smith,
D. C. Batchelder, John Akerman, Aaron P. Sargent.*

WATCHMEN.

SAMUEL T. BROWN, *Captain of the Watch.*

John H. Brown. Wm. H. Fitts, John B. Porter,
John J. Noyes, Nathaniel Ireland, Jr.

*Deceased.

1861.

MAYOR.

MOSES DAVENPORT.*
GEO. W. JACKMAN, JR.†

ALDERMEN.

WARD 1.—ISAAC HALE, JR.
WARD 2.—NATHANIEL PIERCE.
WARD 3.—GEORGE J. GEORGE.
WARD 4.—JOSEPH A. FROTHINGHAM.
WARD 5.—WILLIAM H. HUSE.
WARD 6.—GEORGE W. JACKMAN, JR.‡
" " WINTHROP O. EVANS.†

COMMON COUNCIL.

President, CHARLES O. MORSE.
Clerk, ALBERT W. GREENLEAF.

WARD 1.
Charles H. Goodwin,
Hiram Janvrin,
Michael Wormstead.*

WARD 2.
Ralph C. Huse,
Joseph G. Gerrish,
Moody Lunt.

WARD 3.
Charles O. Morse,
William A. Davis,
Curtis French.

WARD 4.
Albert W. Bartlett,*
Charles M. Hodge,
Charles R. Titcomb.

WARD 5.
Charles A. Hilliard.
John Bailey,
Augustus Pearson.

WARD 6.
John J. Currier,
John P. McQuillen,
Albert S. Pettigrew.

CITY CLERK.
ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.
DANIEL GRANGER.

*Deceased. †Elected to fill vacancy. ‡Resigned.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—Benaiah G. Gerrish, William Hale.*
Ward 2.—William E. Currier, George W. Hale.
Ward 3.—Artemas B. Muzzey, Benjamin R. Knapp.
Ward 4.—William Thurston, William Horton.*
Ward 5.—Edward S. Moseley, Nathan A. Moulton.
Ward 6.—Daniel T. Fiske, Joseph V. Jackman.

OVERSEERS OF THE POOR.

Ward 1.—Geo. W. Woodwell.
Ward 2.—Edmund Pike.
Ward 3.—Samuel H. Rundlett.
Ward 4.—Henry Stover.
Ward 5.—Pottle Richardson.
Ward 6.—Emery Coffin.

ASSESSORS.

Moses H. Fowler, John Huse, Nathaniel Greely,

ASSISTANT ASSESSORS.

Amos Wood,* Bailey Chase,* Benjamin R. Knapp.

CHIEF ENGINEER.

JOHN B. PRITCHARD.

ASSISTANT ENGINEERS.

John P. McQuillen, Daniel H. Smith,
Charles H. Goodwin, William C. Colby,*
Isaac Poor, Eben P. Cutter.

CITY MARSHAL.

JAMES P. L. WESTCOTT.

CONSTABLES.

Nehemiah Flanders, D. C. Batchelder, Wooster Smith,
John Akerman, Aaron P. Sargent,* D. E. Cutter.

WATCHMEN.

SAMUEL T. BROWN, *Captain of the Watch.*

Wm. H. Whitmore, Wm. H. Fitts, John B. Porter,
John J. Noyes, Nathaniel Ireland, jr.

*Deceased.

1862.

MAYOR.

GEORGE W. JACKMAN, JR.

ALDERMEN.

WARD 1.—ISAAC HALE, JR.‡
WARD 1.—CHARLES C. DAME.†
WARD 2.—NATHANIEL PIERCE.
WARD 3.—GEORGE J. GEORGE.
WARD 4.—HORACE HAMBLET.*
WARD 5.—WILLIAM H. HUSE.
WARD 6.—WINTHROP O. EVANS.

COMMON COUNCIL.

President, JOHN J. CURRIER.
Clerk, ALBERT W. GREENLEAF.

WARD 1.
Charles H. Goodwin,
Jacob G. Brown,*
Moses Pettingell, jr.

WARD 2.
Joseph G. Gerrish,
Ralph C. Huse,
Daniel A. W. Perkins.

WARD 3.
Charles O. Morse,
Curtis French,
William H. Johnson.

WARD 4.
Edwin Currier,
Dana Dodge,
William P. Plummer.

WARD 5.
Thomas H. Cutter,
Greenleaf Boardman,
Alexander Caldwell.

WARD 6.
John J. Currier,
Eben P. Cutter,
Stephen M. Pillsbury.

CITY CLERK.
ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.
DANIEL GRANGER.

*Deceased. †Elected to fill vacancy. ‡Resigned.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—Charles W. Hale, Isaac A. Bray.*
Ward 2.—William E. Currier, George W. Hale.
Ward 3.—David J. Adams, Ashbel G. Vermilye.
Ward 4.—James Cruickshanks, William Thurston.
Ward 5.—Edward S. Moseley, Nathan A. Moulton.
Ward 6.—Joshua Hale, Joseph V. Jackman.

OVERSEERS OF THE POOR.

Ward 1.—Geo. W. Woodwell.
Ward 2.—Charles Currier.*
Ward 3.—John Moore.
Ward 4.—Michael Atkinson.
Ward 5.—Pottle Richardson.
Ward 6.—Thomas Merrill.

ASSESSORS.

Nathaniel Greely, Chas. W. Davenport, Moses H. Fowler.

ASSISTANT ASSESSORS.

Bailey Chase,* Amos Wood,* Benjamin R. Knapp.

CHIEF ENGINEER.

JOHN B. PRITCHARD.

ASSISTANT ENGINEERS.

Isaac Poor,
Charles H. Goodwin,
Eben P. Cutter,
William C. Colby,*‡
Selwyn P. Adams,‡
William A. Davis,
Charles H. Currier,†
John A. Cooper.†

CITY MARSHAL.

WOOSTER SMITH.

CONSTABLES.

Nehemiah Flanders, D. C. Batchelder, David E. Cutter,
John Akerman, *Aaron P. Sargent.

WATCHMEN.

WILLIAM H. FITTS, *Captain of the Watch.*

Wm. H. Whitmore, John J. Noyes, John B. Porter,
George N. Young, Joseph M. Tappan.

*Deceased. †Elected to fill vacancy. ‡Resigned.

1863.

MAYOR.

ISAAC H. BOARDMAN.

ALDERMEN.

WARD 1—SAMUEL PETTINGELL.
WARD 2.—WILLIAM GRAVES.
WARD 3.—NORMAN C. GREENOUGH.*
WARD 4.—JOHN N. PIKE.
WARD 5.—WILLIAM H. HUSE.
WARD 6.—JOHN J. CURRIER.

COMMON COUNCIL.

President, MARK SYMONS.*
Clerk, ALBERT W. GREENLEAF.

WARD 1.
Moses Pettingell, jr.,
Paul G. Lunt,
B. Gardner Gerrish.

WARD 2.
Mark Symons,*
Nicholas Varina,
Thomas C. Goodwin.

WARD 3.
William H. Johnson,
John R. Stanwood,
Nathaniel S. Osgood.

WARD 4
Enoch M. Read,
Enoch Pierce,
Charles M. Hodge.

WARD 5.
Thomas H. Cutter,
Greenleaf Boardman,
Paul R. Pickering.

WARD 6.
John Currier, 3d,
Stephen M. Pillsbury,
Eben B. Whitmore.

CITY CLERK.

ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.

DANIEL GRANGER.

*Deceased.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—Moody D. Cook, Isaac A. Bray.*
Ward 2.—William E. Currier, George W. Hale.
Ward 3.—David J. Adams, Ashbel G. Vermilye.
Ward 4.—William Thurston, Jacob Stevens.*
Ward 5.—Nathan A. Moulton, James N. Sykes.
Ward 6.—Joseph V. Jackman. H. G. Johnson.

OVERSEERS OF THE POOR.

Ward 1.—Geo. W. Woodwell.
Ward 2.—Charles Currier.*
Ward 3.—John Moore.
Ward 4.—Michael Atkinson.
Ward 5.—John Teel.
Ward 6.—Thomas Merrill.

ASSESSORS.

Moses H. Fowler, William E. Currier, Thomas H. Gould.

ASSISTANT ASSESSORS.

Bailey Chase,* Moses Pettingell, Edward H. Holland.*

CHIEF ENGINEER.

JOHN B. PRITCHARD.

ASSISTANT ENGINEERS.

Isaac Poor, William A. Davis, Henry T. Moody,
John A. Cooper, Charles H. Currier, Spofford McQuillen.

CITY MARSHAL.

GEORGE JANVRIN.

CONSTABLES.

John Akerman, Caleb H. Howard,* John H. Page, David E. Cutter, George Janvrin. William Lunt.*

WATCHMEN.

WILLIAM H. FITTS, *Captain of the Watch.*

John J. Noyes, George N. Young, John B. Porter. Ezra Thurlow.

*Deceased.

1864.

MAYOR.

GEORGE W. JACKMAN, JR.

ALDERMEN.

WARD 1.—SAMUEL PETTINGELL.
WARD 2.—RALPH C. HUSE.
WARD 3.—NORMAN C. GREENOUGH.*
WARD 4.—ENOCH M. READ.
WARD 5.—JOHN T. PAGE.
WARD 6.—JOHN J. CURRIER.

COMMON COUNCIL.

President, B. GARDNER GERRISH.
Clerk, ALBERT W. GREENLEAF.

WARD 1.
B. Gardner Gerrish,
Paul G. Lunt,
M. Pettingell, jr.

WARD 2.
Henry Cook,
Moody Lunt,
Thomas C. Goodwin.

WARD 3.
Isaac C. Clement,
Samuel A. Smith,
John R. Stanwood.

WARD 4.
Charles M. Hodge,
Horatio N. Dennett,
William Forbes.

WARD 5.
Thomas H. Cutter,
Greenleaf Boardman,
Paul R. Pickering.

WARD 6.
John Currier, 3d,
Eben B. Whitmore,
William Plumer.

CITY CLERK.
ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.
DANIEL GRANGER.

*Deceased.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—Moody D. Cook, Isaac A. Bray.*
Ward 2.—William E. Currier, George W. Hale.
Ward 3.—David J. Adams, Warren Currier.
Ward 4.—William Thurston, B. Y. George.
Ward 5.—James N. Sykes, H. G. Johnson.
Ward 6.—J. L. Newhall, jr.,* Horace Choate.

OVERSEERS OF THE POOR.

Geo. W. Woodwell, Michael Atkinson, John Teel.

ASSESSORS.

Moses H. Fowler, Thomas H. Gould, John Huse.

ASSISTANT ASSESSORS.

George Wood, Thomas Griffith, Bailey Chase.*

CHIEF ENGINEER.

JOHN B. PRITCHARD.

ASSISTANT ENGINEERS.

William A. Davis, Isaac Poor, Henry T. Moody,
Reuben Dade,* John A. Cooper, William H. Fitts.

CITY MARSHAL.

NEHEMIAH FLANDERS.

CONSTABLES.

Wm. H. Fitts, Nehemiah Flanders, John H. Page.

WATCHMEN.

GEO. N. YOUNG, *Captain of the Watch.*

John J. Noyes, John B. Porter, John P. Badger,
Sylvester James, Joseph M. Tappan.

*Deceased.

1865.

MAYOR.

GEO. W. JACKMAN, JR.

ALDERMEN.

WARD 1.—PAUL G. LUNT.
WARD 2.—WILLIAM PRITCHARD.*
WARD 3.—WARREN CURRIER.
WARD 4.—WILLIAM C. BALCH.
WARD 5.—THOMAS H. CUTTER.
WARD 6.—MOSES H. FOWLER.

COMMON COUNCIL.

President, LUTHER DAME.

Clerk, ALBERT W. GREENLEAF.

WARD 1.
Luther Dame,
Rufus Adams,
Henry T. Moody.

WARD 2.
Joseph R. Burrill,
Isaac Poor,
Stephen H. Thurlow.

WARD 3.
Isaac C. Clement,
Samuel A. Smith,
Geo. W. Knight, jr.

WARD 4.
Dana Dodge,
H. N. Dennett,
W. P. Plumer.

WARD 5.
Tristram Talbot,
John E. Bailey,
John A. Cooper.

WARD 6.
Horace N. Jackman,
Jacob T. Rowe,
Enoch Merrill.

CITY CLERK.

ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.

DANIEL GRANGER.

*Deceased.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—Isaac P. Noyes, Jarvis A Ames.
Ward 2.—Richard Plumer, William E. Currier.
Ward 3.—David J. Adams, Thomas Borden.
Ward 4.—John H. Smith, James W. Cheney.
Ward 5.—James N. Sykes, Nathan A. Moulton.
Ward 6.—Horace Choate, Joseph C. Adams.

OVERSEERS OF THE POOR.

Geo. W. Woodwell, Michael Atkinson, John Teel.

ASSESSORS.

John Huse, Nathaniel Greely, Moses Stevens.†

ASSISTANT ASSESSORS.

George Wood, Francis E. Coffin, Moses Pettingell.

CHIEF ENGINEER.

JOHN B. PRITCHARD.

ASSISTANT ENGINEERS.

William A. Davis, Isaac Poor, Henry T Moody,
Reuben Dade,* John A Cooper, William H Fitts.

CITY MARSHAL.

NEHEMIAH FLANDERS.

CONSTABLES.

Wm. H. Fitts, Nehemiah Flanders, John H. Page.

WATCHMEN.

GEO. N. YOUNG, *Captain of the Watch.*

John J. Noyes, John B. Porter, John P. Badger,
Sylvester James, Joseph M. Tappan.

*Deceased.

1866.

MAYOR.

WILLIAM GRAVES.

ALDERMEN.

WARD 1.—PAUL G. LUNT.
WARD 2.—NATHANIEL PIERCE.
WARD 3.—WARREN CURRIER.
WARD 4.—WILLIAM C. BALCH.
WARD 5.—WILLIAM H. HUSE.
WARD 6.—MOSES H. FOWLER.

COMMON COUNCIL.

President, NATHANIEL M. HORTON.
Clerk, ALBERT W. GREENLEAF.

WARD 1.
Rufus Adams,
Henry T. Moody,
Isaac Hale, jr.

WARD 2.
Isaac Poor,
Stephen H. Thurlow,
Joseph G. Gerrish.

WARD 3.
Geo. W. Knight, jr.,
James Meader,*
Charles E. Bayley.

WARD 4.
Nathaniel M. Horton,
W. P. Plumer,
Samuel March, jr.

WARD 5.
John E. Bailey,
John A. Cooper,
Hiram Littlefield.

WARD 6.
Thomas M. Sargent,
Jacob T. Rowe,
Eben P. Cutter.

CITY CLERK.
ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.
DANIEL GRANGER.

*Deceased.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE

Ward 1.—M. Pettingell, jr., Isaac P. Noyes.	Ward 4.—James W. Cheney, Robert Couch.
Ward 2.—John Pearson, jr., Amos W. Mooney.	Ward 5.—Nathan A. Moulton, Edward S. Moseley.
Ward 3.—Thomas Borden, John R. Thurston.	Ward 6.—William Plummer, William J. Currier.

OVERSEERS OF THE POOR.

George W. Woodwell, Michael Atkinson, John Teel.

ASSESSORS.

Nathaniel Greely, Edward Burrill, John Huse.

ASSISTANT ASSESSORS.

George Wood, Thomas H. Gould, Moses Pettingell.

CHIEF ENGINEER.

WILLIAM A. DAVIS.

ASSISTANT ENGINEERS.

John A. Cooper,	H. T. Moody,
H. P. Macintosh,	Eben P. Cutter,
Wm. H. Fitts,	Isaac Poor.

CITY MARSHAL.

JAMES P. L. WESTCOTT.

CONSTABLES.

J. P. L. Westcott,	D. C. Batchelder,	John H. Page
John Akerman,	David E. Cutter,	Wooster Smith.

WATCHMEN.

WILLIAM H. FITTS, *Captain of the Watch.*

Thomas W. Foster, Ezekiel G. Whittier, John J. Noyes.
George J. Warner, John B. Porter, Jos. M. Toppan,
George N. Young, John P. Badger.

*Deceased.

1867.

MAYOR.

EBEN F. STONE.

ALDERMEN.

WARD 1.—HENRY T. MOODY.
WARD 2.—JOSEPH G. GERRISH.
WARD 3.—DAVID J. ADAMS.
WARD 4.—FREDERICK J. COFFIN.
WARD 5.—NATHAN A. MOULTON.
WARD 6.—EBEN P. CUTTER.

COMMON COUNCIL.

President, JOHN E. BAILEY.

Clerk, ALBERT W. GREENLEAF.

WARD 1.
Charles C. Donnell,
Moses M. Merrill,
Amos Pettingell.

WARD 2.
Ralph C. Huse,
Moody Kimball,
Thomas W. Goodwin.

WARD 3.
Joseph Stanwood,
George W. Clark,
William H. Noyes.

WARD 4.
Wallace D. Wells,
Jos. A. Frothingham, jr.,
Joseph L. Johnson.

WARD 5.
John E. Bailey,
John A. Cooper,
Henry M. Cross.

WARD 6.
Horace Choate,
Henry W. Chapman,
E. K. Batchelder.

CITY CLERK.

ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.

DANIEL GRANGER.

*Deceased.

CITY MESSENGER.

DAVID E. CUTTER.

SCHOOL COMMITTEE.

Ward 1.—Stephen Peabody, Eben Little.	Ward 4.—Wm. A. McGinley, S. J. Spaulding.
Ward 2.—Wm. E. Currier, A. W. Mooney.	Ward 5.—David Wood, E. P. Cummings.
Ward 3.—Thomas Borden, Colby Lamb.	Ward 6.—Wm. J. Currier, Wm. H. Merrill.

OVERSEERS OF THE POOR.

William Graves, Isaac H. Boardman, Albert Currier.

CLERK OF THE BOARD OF OVERSEERS.

John Teel.

ASSISTANT TO CITY CLERK AND TREASURER.

William H. H. Bradbury.

ASSESSORS.

Thomas H. Gould, Francis E. Coffin, James W. Cheney.

ASSISTANT ASSESSORS.

Moses Pettingell, Jr., Edward F. Bartlett, George Wood.

CHIEF ENGINEER.

WILLIAM A. DAVIS.

ASSISTANT ENGINEERS.

Hiram P. Macintosh, Isaac Poor, William A. Goodwin,
James H. Hall, J. A. L. Odd'e, Augustus Pearson.

CITY MARSHAL.

WILLIAM H. FITTS.

CONSTABLES.

William H. Fitts, George Barker, John Akerman.

WATCHMEN.

JOHN J. NOYES, *Captain of the Watch.*

Thomas W. Foster, John B. Porter, Joseph Barlow,
George J. Warner, John P. Badger, Moses S. Hodgdon,*
Nath'l Goodwin, John W. Dole, Joseph G. Flanders.

*Deceased.

1868.

MAYOR.

NATHANIEL PIERCE.

ALDERMEN.

WARD 1.—HENRY T. MOODY.
WARD 2.—JOSEPH G. GERRISH.
WARD 3.—DAVID J. ADAMS.
WARD 4.—DANA DODGE.
WARD 5.—E. G. KELLEY.
WARD 6.—EBEN P. CUTTER.

COMMON COUNCIL.

President, GEO. W. JACKMAN, JR.

Clerk, ALBERT W. GREENLEAF.

WARD 1.
Amos Pettingell,
Luther Dame,
Alpheus G. Knight.

WARD 2.
William Cushing,
Isaac Poor,
Charles T. Smith, jr.

WARD 3.
Joseph Stanwood,
Sampson Levy,
George W. Creasey.

WARD 4.
Albert Currier,
Wm. P. Plummer,
Joseph L. Johnson.

WARD 5.
John E. Bailey,†
David J. Merrill,
Charles L. Huse,‡
John R. Longfellow.

WARD 6.
George W. Jackman, jr.,
Henry Merrill,
Eliphalet Griffin.

CITY CLERK.

ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.

DANIEL GRANGER.

*Deceased. ‡Elected to fill vacancy. †Resigned.

ASSISTANT TO CITY CLERK AND TREASURER.

Edward F. Bartlett.

CITY MESSENGER.

JOHN D. PARSONS.

SCHOOL COMMITTEE.

Ward 1.—Stephen Peabody, Isaac P. Noyes.
Ward 2.—Richard Plumer, A. W. Mooney.
Ward 3.—Thomas Borden, G. W. Snow.
Ward 4.—Daniel P. Pike, Jacob Stone, jr.
Ward 5.—William H. Huse, N. A. Moulton.
Ward 6.—F. D. Burnham, M. H. Fowler.

OVERSEERS OF THE POOR.

George W. Woodwell, Richard Plumer, Thomas Atwood.

CLERK OF THE BOARD OF OVERSEERS.

Thomas H. Gould.

ASSESSORS.

Nathaniel Greely, John Huse, Francis E. Coffin.

ASSISTANT ASSESSORS.

George Wood, Edward F. Bartlett, Horace N. Jackman.

CHIEF ENGINEER.

WILLIAM A. DAVIS.

ASSISTANT ENGINEERS.

Isaac Poor, Hiram P. Macintosh, William A. Goodwin,
James H. Hall, John A. L. Odd'e, John A. Cooper.

CITY MARSHAL.

WILLIAM H. FITTS.

CONSTABLES.

William H. Fitts, Wooster Smith, John Akerman.

WATCHMEN.

JOSEPH M. TAPPAN, *Captain of the Watch.*

Thomas W. Foster, John B. Porter, Oliver P. Wiggin,
John P. Badger, Nathaniel Goodwin, Elias Foss,
George N. Young, John Worthen.

1869.

MAYOR.

NATHANIEL PIERCE.

ALDERMEN.

WARD 1.—PAUL G. LUNT.
WARD 2.—AMOS W. MOONEY.
WARD 3.—DAVID J. ADAMS.
WARD 4.—GEORGE W. CLARK.
WARD 5.—JOHN E. BAILEY.
WARD 6.—MOSES H. FOWLER.

COMMON COUNCIL.

President, WILLIAM CUSHING.
Clerk, ALBERT W. GREENLEAF.

WARD 1.
Moses M. Merrill,
Samuel W. Tuck,
Henry Hunt.

WARD 2.
William Cushing,
Joseph G. Gerrish,
Nathaniel W. Hurd.

WARD 3.
Sampson Levy,
Samuel A. Smith,
Lawrence B. Cushing.

WARD 4.
Charles L. Ayers,
David Smith,
Isaac H. B. Blake.

WARD 5.
Pottle Richardson,
Elbridge A. Sargent,
Edward A. Moseley.

WARD 6.
Henry W. Chapman,
Benjamin F. Stanley,
George W. Marston.

CITY CLERK.
ELEAZER JOHNSON.*

TREASURER AND COLLECTOR.
DANIEL GRANGER.

*Deceased.

ASSISTANT TO CITY CLERK AND TREASURER.

Edward F. Bartlett.

CITY MESSENGER.

JOHN D. PARSONS.

SCHOOL COMMITTEE.

Ward 1.—Isaac P. Noyes, John Capen.
Ward 2.—Stephen Collins, Ralph C. Huse.
Ward 3.—Colby Lamb, George W. Snow.
Ward 4.—Daniel P. Pike, Sam'l J. Spaulding.
Ward 5.—William H. Huse, Nathan A. Moulton.
Ward 6.—William H. Merrill, John A. Hoxie.

OVERSEERS OF THE POOR.

George W. Woodwell, Richard Plumer, Thomas Atwood.

CLERK OF THE BOARD OF OVERSEERS.

Benjamin Davis, Jr.

ASSESSORS.

Nathaniel Greely, John Huse, George Wood.

ASSISTANT ASSESSORS.

Edward F. Bartlett, Francis E. Coffin, Fred. D. Burnham.

CHIEF ENGINEER.

WILLIAM A. DAVIS.

ASSISTANT ENGINEERS.

Isaac Poor, Hiram P. Macintosh, William A. Goodwin.
James H. Hall, John A. L. Odd'e, Eben P. Cutter.

CITY MARSHAL.

WILLIAM H. FITTS.

CONSTABLES.

William H. Fitts, Thomas W. Foster, John Akerman,
Joseph M. Tappan, John D. Parsons.

WATCHMEN.

JOSEPH M. TAPPAN, *Captain of the Watch.*

John P. Badger, George N. Young, Nathaniel Goodwin,
John B. Porter, Oliver P. Wiggin, Elias Foss,
Andrew C. Nowell, Stephen J. Warner.

1870.

MAYOR.

ROBERT COUCH.

ALDERMEN.

WARD 1.—LUTHER DAME.
WARD 2.—CHARLES T. SMITH, JR.
WARD 3.—AMOS COFFIN.
WARD 4.—GEORGE W. CLARK.
WARD 5.—JOHN E. BAILEY.
WARD 6.—E. K. BATCHELDER.

COMMON COUNCIL.

President, WARREN CURRIER.
Clerk, ALBERT W. GREENLEAF.†
Clerk, THOMAS E. CUTTER.‡

WARD 1.
Henry Hunt,
Samuel W. Tuck,
Benj. A. Thurlow.

WARD 2.
William Cushing,
Rufus L. Greenleaf,
Nicholas Varina.

WARD 3.
Lawrence B. Cushing,
Benj. C. Currier.
George W. Brown.

WARD 4.
Joseph L. Johnson,
Charles L. Ayers,†
Joseph H. Walton,
Hugh McGlew.‡

WARD 5.
Edward A. Moseley,
Warren Currier,
John A. Cooper.

WARD 6.
George W. Marston,
Henry W. Chapman,
George A. Ordway.

CITY CLERK.

ELEAZER JOHNSON.*
GEORGE H. STEVENS.‡

TREASURER AND COLLECTOR.

ALBERT W. GREENLEAF.

*Deceased, February 25, 1870. ‡Elected to fill vacancy. †Resigned.

CITY MESSENGER.

JOHN D. PARSONS.

SCHOOL COMMITTEE.

Ward 1.—Isaac P. Noyes, Moses Pettingell, jr.
Ward 2.—Thos. C. Goodwin, Richard Plumer.
Ward 3.—Wm. H. Noyes, Colby Lamb.
Ward 4.—Daniel P. Pike, Sam'l J. Spaulding.
Ward 5.—Nathan A. Moulton, William H. Huse.
Ward 6.—John A. Hoxie, Wm. H. Merrill.

OVERSEERS OF THE POOR.

Richard Plumer, Thomas Atwood, George D. Thurlow.

CLERK TO THE BOARD OF OVERSEERS.

Benjamin Davis, jr.

ASSESSORS.

Thomas C. Goodwin, Frederick J. Coffin, William Plumer.

ASSISTANT ASSESSORS.

William A. Felch, Charles R. Titcomb, John Teel.

CHIEF ENGINEER.

HIRAM P. MACINTOSH.

ASSISTANT ENGINEERS.

Augustus Pearson, Wm. A. Goodwin, J. A. L. Odd'e,
James H. Hall, Charles H. Goodwin, Geo. W. Knight, jr.

CITY MARSHAL.

CHARLES L. AYERS.

CONSTABLES.

Charles L. Ayers, Richard C. Hale,
Wooster Smith, John Akerman,
John D. Parsons.

WATCHMEN.

RICHARD C. HALE, *Captain of the Watch.*

Nathaniel Goodwin, Joseph Stevens, Charles Noyes,
Albert D. Hale, Chas. W. Merrill, T. Bradbury,
Francis Buckley, Joseph G. Flanders, Seth H. Manson.

WARDS.

WARD I.

This Ward includes all the territory of the city south-easterly of a line beginning between 129 and 131 Water street, thence running on the west side of Salem to Purchase, thence between numbers 10 and 12 Purchase, crossing Milk between 33 and 35 and 38 and 40 to Newbury street between numbers 11 and 13, and thence on the east side of Parsons street to High, thence on a straight line to the south-west boundary of the city, leaving all of the inhabitants on Salem street in Ward one, and those on Parsons street in Ward two.

WARD II.

This Ward contains all the territory north-westerly of the last named line to Federal street, including all the houses bounded on said street, and pursuing a line south-westerly from the north-west side of said street to the bounds of the city.

WARD III.

This Ward contains all the territory north-west of the last named line to the centre of State street; from thence pursuing a straight line south-westerly to the bounds of the city, diverging on the north-east end of the line so as to embrace the Market House.

WARD IV.

This Ward contains all the territory north-west of the middle of State street, or the north-west line of Ward No. 3 to the middle of Winter street, continuing on a straight line to the south-westerly bounds of the city.

WARD V.

This Ward contains all the territory north-west of the bounds of Ward No. 4, embraced within a line beginning on Merrimac street opposite the foot of Warren street, and running thence on the westerly side of Warren street, including all the inhabitants on Warren street in Ward 5, and continuing on a straight line to the south-west boundary of the city.

WARD VI.

This Ward contains all the territory of the city lying north-westerly of the last named line.

The whole number of names on the voting list of each ward is as follows:—*

Ward One	419
" Two	309
" Three	378
" Four	458
" Five	414
" Six	438
Total	2,414

*For the year 1869.

STREETS AND COURTS.

Allen, from 21 Newbury to 46 High.
Ashland, from 303 Merrimac to 290 High.
Ashland place, from 18 Ashland street.
Atkinson, from 16 Strong to 21 Boardman.
Atwood, from 27 Federal to 44 Lime.
Auburn, from opposite 146 High to Low.
Bartlet Mall, High street, from Pond to Auburn.
Beck, from 17 Federal to 30 Lime.
Berry, from 4 Titcomb to 5 Market.
Birch, from 26 Market to 23 Winter.
Boardman, from opposite 140 Merrimac to 190 High.
Boylston, from 140 State to Hill.
No. Bridge, from Merrimac, n. Essex Merrimac Bridge to Ferry.
Bridge, (new) from Merrimac to Newburyport Bridge.
Broad, from 169 Merrimac to 244 High.
Broadway, part of Merrimac st. between Market sq. and Green.
Bromfield, from 130 Water to 42 High.
Brown's square, from Green to Titcomb.
Buck, from 7 Congress to 208 High.
Caldwell's Court, from 135 Merrimac.
California, from 207 Merrimac to Walnut.

Cary's avenue, from 175 High to Vernon.
Carter, from 161 Merrimac to 238 High.
Centre, from 28 Water to 17 Middle.
Charles, from 98 Water to 7 Purchase.
Charter, from 63 State to 36 Fair.
Chase's court, from 158 Water.
Cherry, from Highland place to Parker, near Newbury't R. R.
Chestnut, from 47 Bromfield to 36 Marlborough.
Chickering, from Auburn to Pond.
Coffin's court, from 41 High.
Common Pasture lane, from Low to Parker.
Congress, from 24 Olive to opposite 32 Kent.
Court, from 9 Washington to 140 High.
Currier's court, from 23 Kent street.
Cutter's court, from 32 Warren to 29 Carter.
Dexter, from junction of High, Ferry and Wesley to Merrimac.
Dove, from 149 Merrimac to 6 Monroe.
Eagle, from opposite 43 Kent to Carter.
Elbow lane, from 2 Water to 17 Liberty.
Elm, from 127 Merrimac to Plum.
Essex, from 41 State to 28 Fair.
Federal, from 70 Water to 80 High.
Ferry, fm junc. of High, Dexter and Wesley to Amesb'y Ferry.
Forester, from 287 Merrimac to 280 High.
Forester court, from Forester.
Franklin, from 108 Water to 14 Purchase.
Fruit, from 24 Prospect to 92 High.
Goodwin's avenue, from 224 Water.
Green, from 43 Merrimac to 134 High.
Green (So.) fm Water, near P. I. Turnpike to Oldtown Green.
Greenleaf, from 132 State to Pond.
Griffin's Court, from 22 Warren to 17 Carter.
Hale's Court, from 37 Pleasant street to Prince place.
Hancock, from 41 Bromfield to 31 Marlborough.

Harris, from 98 State to 37 Green.
Harrison, from 158 Water to 42 Purchase.
High, fm Oldtown Newb'y, to junc. Dexter, Ferry and Wesley.
Highland Place, from Hill to Cherry.
Hill, from Pond to Parker near Eastern Railroad.
Hoyt's Lane, from Wesley (Sawyer's hill) to Mill road.
Independant, from 46 Water to 43 Middle.
Inn, from 46 Market Square to 14 Pleasant.
Jefferson, fm Merrimac r. to 324 Merrimac, thence to 308 High.
Jefferson Court, from 2 Jefferson.
Johnson, from 207 High to Low.
Kent, from 141 Merrimac to 224 High.
Lafayette Place, from 46 Warren to Carter.
Lancy's Court, from 10 Jefferson.
Liberty, from 23 Market Square to 22 Federal.
Lime, from 94 Water to 60 High.
Low, from the junction of Auburn and Pond to Wesley.
Madison, from 178 Water to 23 Hancock.
Market, from 75 Merrimac to 152 High.
Market Square, between State, Merrimac and Water.
Marlborough, from 194 Water to 20 High.
Middle, from 5 State to 34 Federal.
Milk, from 35 Federal to 34 Bromfield.
Mill Road, from Wesley to Curson's Mills, Artichoke river.
Merrill, from 133 Merrimac to 8 Congress.
Merrimac, from Market Square to Essex Merrimac Bridge.
Merrimac Court, from 264 Merrimac to Merrimac river.
Monroe, ftom 32 Kent to 33 Oakland.
Newbury, from 63 Lime to 42 Bromfield.
North Atkinson, from 285 High.
Oak, from opposite 36 Marlborough.
Oakland, from 199 Merrimac to 256 High.
Ocean, from 38 Kent to Carter.
Olive, from 123 Merrimac to 200 High.

Orange, from 47 Fair to 60 Federal.
Papanti's Court, from 31 Ocean.
Park, from 3 Harris to 124 High.
Parker, from 1 High to 165 State, thence to boundary of city.
Parsons, from 10 Newbury to 24 High.
Pettingell's Court, from 170 Water.
Pike, from 36 Water to 31 Liberty.
Pine, from 25 Marlborough.
Pleasant, from 58 State to 27 Green.
Plum, from 12 Olive to Elm.
Pond, fm junc. of High and State to junc. of Auburn and Low.
Pond, (South) from 52 Marlborough.
Prince Place, from 88 State to Hale's Court.
Prospect, from 87 State to 70 Federal.
Purchase, from 43 Lime to 22 Marlborough.
Purchase Court, from 40 Purchase.
Railroad street, from Auburn to Eastern Railroad.
Roberts, from 39 Federal to 62 Lime.
Russia, from 20 Olive to opposite 20 Kent.
Salem, from 104 Water to 13 Purchase.
School, from 27 Federal to 40 Lime.
Ship, from 78 Water to 7 Beck.
Smith's Court, from 88 Water.
Spring, from 39 Fair to 52 Federal.
Spring Lane, from Ferry to Bartlet's Springs.
Star Alley, from High to Vernon.
State, from Market sq. to 108 High, thence to boundary of city.
Strong, from 97 Merrimac to 40 Washington.
Summer, from 81 Merrimac to 156 High.
Temple, from 77 State to 64 Federal.
Titcomb, from 59 Merrimac to 10 Washington.
Titcomb place, from 105 State.
Toppan, from opposite 224 High.
Tyng, from 179 Merrimac to 250 High.

Unicorn, from 21 Merrimac to 34 Pleasant.
Union, from 7 Marlborough to Water.
Union place, from 274 Merrimac to Merrimac river.
Vernon, from 10 Auburn to Cary's avenue.
Walnut, from 10 Oakland to Woodland.
Warren, from 155 Merrimac to Eagle.
Washington, from 32 Green to 47 Kent.
Water, from Market square to Plum Island Turnpike.
Wesley, from junction of High and Ferry to Artichoke Bridge.
Williams Court, from 103 Merrimac.
Winter, from 93 Merrimac to 160 High.
Woodland, fm Merrimac r. to 223 Merrimac, thence to 308 High.
Woodland Court, from 22 Woodland.
Woodwells avenue, from 208 Water to 13 Union.

INDEX.

Page.

ABATEMENTS of Taxes, Assessors to keep record of..... 118
record of, to be laid before the City Council..... 118
ACCOUNTS, Joint Standing Committee on, to be appointed..... 139
ACTS, of Incorporation..... 5, 22, 23, 24, 25
of 37th Congress, concerning Naturalization..... 28
concerning Municipal Elections..... 37
concerning Qualification of Voters..... 29, 37
concerning elections in cities..... 38, 45
to preserve the right of suffrage to Soldiers and Sailors..... 41
in relation to time of opening polls for elections..... 42
in relation to election of Ward Officers..... 42
in relation to Assessment of Taxes..... 43, 44
for Appointment of Assistant City Clerks..... 45
concerning Qualification and Exemption of Jurors..... 46, 49
concerning Settlement of Paupers.....49, 57, 60
concerning Support of Paupers..... 53, 60
concerning State Paupers..... 59, 60
relating to State Aid 61, 65, 71, 78, 77, 78
for the Preservation of the Public Health..... 78, 83
concerning offensive Trades..... 81
for the Abatement of Nuisances..... 83
in relation to Boards of Health..... 84
relating to Cemeteries and Burials..... 85
relating to Watchmen..... 87, 89
to regulate Fishing in Merrimac River..... 89

Page.
ACTS to establish a Fire Department..... 90
concerning Dogs..... 93, 96
concerning Toll Bridges in Essex County..... 97, 99
concerning Bridges over Merrimac River..... 107
in relation to Pawnbrokers..... 156
in relation to Dealers in Junk, Old Metals, &c..... 157
to incorporate Trustees of Putnam Free School..... 188
ACCOUNTABILITY in Expenditures, Ordinance relating to..... 139
AMENDMENTS to Constitution, in relation to qualification of Voters, 27
APPOINTMENTS by Mayor and Aldermen, how to be made..... 12
ALDERMEN, Board of to consist of six..... 5
how elected..... 7, 22, 24
powers and duties of..... 8, 14, 89, 43, 48
rules and orders of..... 167
chairman of, *pro tem*..... 10
ASSESSORS, when and how chosen..... 11
powers and duties of..... 13, 118
ASSISTANT ASSESSORS, when and how chosen..... 11
ASSISTANT CITY CLERK, act to provide for..... 45
ASSESSMENT AND COLLECTION OF TAXES, ordinance.... 118
of Taxes, act in relation to..... 43, 44
ATKINSON FUND, extract from will relating to..... 183
ATWOOD FUND, extract from will relating to..... 186
accounts of Trustees to be audited..... 23
AUDITORS, BOARD of, to examine accounts, acts and doings of the Overseers of the Poor..... 23
of whom it shall consist..... 23

BALLOTS, at certain elections to be secured in an envelope..... 38
at certain elections to be returned to City Clerk..... 39
how and when to be recounted..... 39, 43
BEQUESTS AND DONATIONS to the city of Newburyport..... 183
BOARD OF AUDITORS, to examine accounts of Overseers of Poor 23
BOARD OF HEALTH, powers of, vested in City Council..... 15
constituted of the Mayor and Aldermen.... 126
ordinance relating to..... 126
powers of.....15, 78, 82, 88, 84, 85
regulations concerning Burial Grounds and Interments..... 163
BONDS, when to be required..... 12

Page.
BRIDGES, acts relating to....97, 99, 107
Essex Merrimac and Newburyp't, laid out as highways, 100, 101, 103
Newburyport, repair and care of 102, 107, 110
Essex Merrimac, repair and care of....104, 107, 110
Essex Merrimac, proprietors of to be paid $10,000 by city. 104
Proclamation of Governor relating to.... 106
BROWN FUND, extract from will relating to.... 184
BROMFIELD FUND, extract from will relating to.... 186
BURIAL GROUNDS, statute relating to.... 85
regulations concerning.... 163
BY-LAWS.—See Ordinances....
to be termed ordinances.... 114
powers of the City Council in relation to.. 17

CARRIAGES, regulations concerning.... 128, 129, 154, 155
CATALOGUE of City Government.... 199—239
CEMETERIES, act relating to.... 85
Rules of Board of Health concerning.... 163
CITY ARMS AND SEAL, ordinance to establish.... 113
CITY CHARTER.... 5—21
amendments to.... 22—25
CITY CLERK, how and when chosen.... 11
duties of....9, 12, 33, 189
to give bonds... 143
CITY COUNCIL, what constitutes.... 6
organization of.... 9
members to be sworn.... 6
to revise Ward lines.... 6
each Board to be judge of its own members.... 10
shall have power to make By-Laws, penalties for
breach of, not to exceed twenty dollars.... 17
to take effect without sanction of any Court.... 17
Joint Rules and Orders of.... 169
CITY ELECTION, when held.... 7
CITY FUEL, how and when to be purchased.... 150
duties of heads of departments relating to.... 151
CITY GOVERNMENTS, from 1851 to 1870.... 200—239
when to be organized.... 9
CITY MARSHAL, how and when appointed.... 11, 122
to give bonds.... 11, 122
ordinance prescribing duties of.... 122

Page.
CITY MESSENGER, how and when elected 120
ordinance defining duties of 120
CITY OFFICERS, penalty for neglect of duty in regard to elections, 36, 49
CITY ORDINANCES ..... 113—161
CITY PROPERTY, care and custody of 12, 148
schedule of, to be published annually 12
CITY, STATE AND COUNTY TAXES, tabular statement of 198
CITY TREASURER, when and how elected 11
shall give bonds 145
duties of ..... 141—145
CLERK OF COMMON COUNCIL, how and when chosen 9
duties of 181
CLERK OF OVERSEERS OF POOR, how and when chosen 119
ordinance relating to 119
COLLECTOR OF TAXES, when and how chosen 11
to give bonds 145
duties of ..... 118—30
COMMON COUNCIL, how and when elected 7
how and when organized 9
President of to be sworn 9
duties of the President 175
meetings to be public 12
to have concurrent powers on Revisions of Jury List 14
Rules and Orders of 175
COMMON CRIERS, how appointed 153
CONGRESSIONAL DISTRICT, act relating to 37
CONSTABLES, appointment and removal of 11
to give bonds 11
ordinance concerning 124
COUNTY COMMISSIONERS, order of in relation to bridges ... 101, 103, 109
COUNTY OFFICERS, election of 16

DEED of Public Library Building 191
DEEDS in behalf of the city, how executed 114
DEXTER FUND, extract from will relating to 183
accounts of Trustees to be audited 23
DOGS, statutes concerning 93, 96
DONATIONS AND BEQUESTS to the city ..... 183—197
DONATION of George Peabody 194
how invested 195

Page

DONATION of William C. Todd 196
conditions and purposes of 196
of Josiah Little and others for a Public Library 190
of subscribers for a Public Library Building 191
DRAINS AND SEWERS, powers in relation to 15

ELECTION of Ward Officers 6
of Mayor, Aldermen and Common Councilmen 7, 10
of National, State and County Officers 16, 32, 38
by the people, plurality to elect 27, 34
manner of conducting 32
manner of returning votes 32
Mayor and Aldermen to examine returns of 34
ELECTIONS in cities, acts concerning 38, 45
act in relation to time of opening polls 42, 45
act in relation to Ward Officers 42
manner of challenging the right of a person to vote 40
ENGINEERS, Boards of from 1851 to 1870 201–239
how and when appointed 90, 14
powers of 91
compensation of 146
ENGINE COMPANIES, number of members to each 145
compensation of 145
EXPENDITURES, of the city to be published 12
ordinance to establish a system of accountability. 139

FINANCE, committee on, of whom constituted 142
duties of committee on 143
FINANCIAL YEAR, when to begin and end 144
FINES, for breach of By-Laws 17
FIRE DEPARTMENT, establishment of 14, 90
when appointed 90
powers of Engineers of 91
when and how paid 145
number of members to each company 145
FISHING IN MERRIMACK RIVER, act to regulate 89
FISH WARDENS, how and when appointed 90
FUEL, City Council may make By-Laws in regard to 15
ordinance in relation to purchase of 150
duties of heads of departments relating to 150
FUNERAL UNDERTAKERS, how and when appointed ..... 163.

FUNERAL UNDERTAKERS, to give bonds..... 164

GENERAL MEETINGS, of citizens may be held..... 17
shall be called by Mayor and Aldermen.... 17
GOVERNMENT OF THE CITY, from 1851 to 1869..... 200—239

HACKNEY CARRIAGES, ordinance relating to 154
HEALTH BOARD OF, ordinance establishing..... 126
powers of, vested in City Council by charter, 15
to consist of Mayor and Aldermen by ordinance 126
powers of.....78, 83, 84, 85
HEALTH, acts concerning preservation of..... 78, 83
HIGHWAYS, laying out of..... 14
committee on, of whom to consist..... 147
superintendent of, how chosen..... 147
ordinance relating to..... 147

INTERMENTS, act in relation to 85
regulations of Board of Health concerning..... 163

JOINT RULES AND ORDERS of City Council 169
JURORS, how and by whom drawn..... 14, 48
qualifications and exemption of..... 46, 49
list of, how and when prepared..... 14, 47
to be posted ten days..... 47
to be submitted to the Common Council..... 14
JUNK AND OLD METALS, statute relating to..... 157
ordinance relating to..... 158

LAYING OUT STREETS, powers in relation to..... 14
estimate of damages for..... 15
LIBRARY.—See Public Library.....
LICENSES, committee on..... 168
LIGHTING STREETS and PUBLIC BUILDINGS, committee on, 170
LUMBER, powers of City Council in relation to..... 15

MARSHAL.—See City Marshal.....
MAYOR, how and when elected..... 7
vacancies and how filled..... 8, 9
oath of office, how administered..... 9
in absence of, Aldermen to choose chairman, *pro tem*..... 10

Page.

MAYOR, duties of..... 10
to have casting vote only..... 10
to have exclusive power of nomination for appointments... 12
MAYOR AND ALDERMEN, executive power of city vested in.... 10
powers of..... 14
duties of.....11, 30, 31, 34
when to call general meetings of citizens..... 17
to prepare lists of voters..... 16
shall hold meetings to correct lists... 30
Rules and Orders of..... 167
to designate weapons of watchmen.. 89
shall constitute the Board of Health. 126
MEASUREMENT OF WOOD, BARK, &c..... 15, 159
MEETINGS of citizens to consult upon the public good..... 17
of City Council when public..... 12
of City Council when not public 12
MODE OF ELECTION of certain City Officers..... 115

NEWBURYPORT BRIDGE.—See Bridges.
NOMINATIONS, for appointment to office..... 12
NUISANCES, removal of..... 78, 126
act to provide for the abatement of..... 82

OFFICERS, when Mayor may nominate..... 12
OLIVER PUTNAM, extract from will of..... 187
ORDINANCES, By-Laws to be so termed..... 114
an ordinance concerning 114
enacting style of..... 114
manner of passing..... 172
City Council shall have power to make..... 17
to take effect without sanction of any court..... 17
how to be promulgated 114
penalties for breach of, not to exceed twenty dollars . 17
fines for breach of, to be paid into City Treasury... 18
ORDINANCES..... 113—161
No. 1. To establish City Arms and Seal..... 113
2. Concerning City Ordinances..... 114
3. For the execution of deeds in behalf of city. 114
4. Mode of appointing certain City Officers..... 115
5. Form, service and returns of Warrants..... 115
6. Assistant City Clerk..... 117

Page.
ORDINANCES..... 113—161
No. 7. Assessment and Collection of Taxes..... 108
8. Clerk of Board of Overseers of the Poor..... 119
9. City Messenger..... 120
10. City Marshal..... 122
11. Concerning Constables..... 124
12. Establishing a Night Watch..... 125
13. To establish a Board of Health..... 126
14. Prevention of certain acts in the streets, etc.. 128
15. Removal of Snow from the Sidewalks..... 133
16. Concerning Truant Children..... 134
17. Concerning the Public Library..... 136
18. Concerning the Public Library..... 138
19. Establishing Accountability in Expenditures. 139
20. Compensation of Members of Fire Departm't, 145
21. Relating to Superintendence of Highways... 147
22.. Duties of Committee on Public Property.... 148
23. Purchase of Fuel for the city..... 150
24. Duties of Committee on Printing..... 152
25. Concerning Common Criers..... 153
26. Hackney Carriages..... 154
27. Relating to Pawnbrokers..... 156
28. Dealers in Junk, Old Metals, etc..... 158
29. Measurement and sale of Wood, Bark and Coal..... 159
30. To repeal an ordinance establishing the office of Assistant City Clerk..... 161
ORGANIZATION OF CITY COUNCIL..... 9
OVERSEERS OF THE POOR, when and how chosen..... 13, 23
powers and duties of.....13, 23, 53, 119
accounts, acts and doings audited.. 23
ordinance providing for a Clerk of. 119

PAUPERS, concerning settlement of.....49, 57, 59, 60
support of by cities and towns..... 53, 59
acts in relation to State Paupers..... 59, 60
PEABODY DONATION, correspondence relating to..... 194—196
PHYSICIAN to Board of Health..... 78
PAWNBROKERS, ordinance relating to..... 156
POLICE, powers of vested in Mayor and Aldermen..... 10
chronological record of from 1851 to 1870..... 200—239
how appointed and removed..... 10

Page.
POLLS ASSESSED, number of from 1851 to 1869..... 198
PUBLIC INSTRUCTION, construction of committee on..... 169
PUBLIC PROPERTY, construction of committee on 169
ordinance relating to 148
PUBLIC LIBRARY, when and by whom founded..... 190
ordinances relating to 136, 138
bequests and donations to..... 190—197
PUBLIC LIBRARY BUILDING, deed of conveyance to the city... 191
Trust Fund for repairs of..... 192
PUTNAM FREE SCHOOL, provisions of will to establish..... 187
trustees of, how and when appointed.. 187, 188
act to incorporate Trustees of 188
present Board of Trus., date of election 189

QUALIFICATIONS OF VOTERS, act relating to..... 29
QUORUM, a majority of each Board..... 6

RECEIPTS AND EXPENDITURES to be published annually..... 12
REPRESENTATIVES to the General Court, election of..... 15
REPORT OF CITY MARSHAL be made to City Council quarterly 123
OVERSEERS OF THE POOR to be made to the
City Council quarterly..... 23
RESOLVES, how to be passed..... 172
RULES AND ORDERS of Board of Aldermen..... 167
of City Council..... 169
of Common Council..... 175

SAWYER FUND, extract from will relating to..... 190
SCHOOL COMMITTEE, when and how chosen..... 13, 25
SEWERS AND DRAINS, powers of City Council relating to..... 15
SEAL OF THE CITY, ordinance establishing..... 113
SITTINGS OF CITY COUNCIL to be public..... 12
SIDEWALKS, provisions concerning..... 128—132
removal of snow from..... 133
SNOW, ordinance concerning removal of 133
SOLDIERS, naturalization of..... 27
SOLDIERS AND SAILORS, act to preserve the right of suffrage to 41
act in relation to settlement of..... 58
acts to provide State Aid for..61, 65, 71, 73, 77
STATE AID, acts relating to.....61, 65, 71, 73, 77
STATE PAUPERS, acts in relation to 59, 60

	Page.
STATUTES GENERAL	29—96
STATE TAXES, record of from 1858 to 1869	198
STREETS, laying out, altering or discontinuing	14
powers of City Council in relation to	14
ordinance for the prevention of certain acts in	128
SUBORDINATE CITY OFFICERS, how chosen	11, 115
SUPERINTENDENCE OF HIGHWAYS, ordinance relating to	147
SUPERINTENDENT OF STREETS, how and when elected	148
SUPERINTENDENT BURIAL GROUNDS, powers and duties of	165
how and when appointed,	165
TABULAR STATEMENT of City, State and County Taxes	198
TAXES, tabular statement of from 1851 to 1869	198
assessment and collection of	13
acts in relation to assessment of	43, 44
collector of, how and when chosen	11
collector to give bonds	145
collector, duties of	119
discounts may be allowed on	119
collector of to make certain returns	80
TODD DONATION, purposes of	196
TREASURER.—See City Treasurer	
TRUANTS, ordinance relating to	134
TRUSTEES, Putnam Free School	188—189
Library Building Fund	198
Peabody Fund	194
TRUST FUNDS, custody and visitation of	11
UNDERTAKERS, when and how appointed	163
to give bonds	164
VALUATION OF CITY from 1851 to 1869	198
VOTERS, list of to be prepared by Mayor and Aldermen	16
lists of to be posted ten days	30
qualifications of	26, 29, 37
manner of challenging	40
penalty for bribery of	36
number in each Ward	241
WARDS established and revision provided for	6
number of and boundaries	240

Page.
WARDS, number of voters in each 241
WARD MEETINGS, proceedings of ..... 6—8
may be adjourned 8, 14
WARD OFFICERS, how and when chosen 6, 42
shall be residents of the Ward 6
shall be sworn 7
duties of 6, 8, 33, 38, 40, 42
WARRANTS, for Ward or General Meetings, by whom issued 7, 116
form of 7, 115, 116
service and return of 7, 116
WATCHMEN, when and how appointed 125
statutes concerning 87, 89
Mayor and Aldermen to prescribe weapons of 89
ordinance relating to 125
WOOD, BARK AND COAL, ordinance relating to sale of 159